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GOVERNMENT GAZETTE

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SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF GOA, DAMAN AND DIU

Home Department

Notification

HD.25-1299/65

In exercise of the powers conferred by sections 21, 41, 65, 67, 68, 70 and 91 of the Motor Vehicles Act, 1939, as extended to the Union Territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Administrator of Goa, Daman and Diu hereby makes the following Rules, namely:—

The Goa, Daman and Diu Motor Vehicles Rules, 1965

(Made under Sections 21, 41, 65, 67, 68, 70 and 91 of the Motor Vehicles Act, 1939)

CHAPTER I

Preliminary

1.1(i) These rules may be cited as the Goa, Daman and Diu Motor Vehicles Rules, 1965.

(ii) They shall come into force on the 22nd day of March, 1965.

1.2 Definitions. — (i) In these rules, unless there is anything repugnant in the subject or context —

(a) «The Act» means the Motor Vehicles Act, 1939;

(b) «Articulated Vehicle» means a Motor Vehicle to which a trailer is attached in such a manner that part of the trailer is super imposed on, and part of the weight of the trailer is borne by the principle vehicle;

(c) «Appellate Authority» means the Appellate Authority appointed for the purpose under these rules;

(d) «Licencing Authority» means the Authority empowered under rule 2.1;

(e) «Passenger» means any person travelling in a public service vehicle other than the driver or the conductor or an employee of the permit holder while on duty;

(f) «Section» means Section of the Act.

(g) «Secretary to Government» means the Secretary to the Government of Goa, Daman and Diu in the department to which the subject matter of the Act is allotted for the time being;

(h) «State Government» means the Government of Goa, Daman and Diu;

(i) «State» means the Union Territory of Goa, Daman and Diu;

(j) «Stand» means a place duly appointed as a stand under these rules;

(k) «Urban area» means the area of a Municipality, small town or cantonment, or other local area which may be specially notified by the State Government as an Urban area;

(ii) Where a Form is designated in these rules by a single letter of the alphabet, the reference is to the Form so designated in the First Schedule; with this exception the Forms prescribed in these rules shall be those set out in the Fourth Schedule annexed hereto.

1.3. The fees prescribed in these rules may be paid in cash or by money order or a treasury challan or by a Bank cheque having a clearing account with the State Bank of India at Panjim or Daman or Diu.

CHAPTER II

Licencing of Drivers

2.1 Licencing Authority.—The Authority empowered to issue licences under the Act and the Rules (hereinafter referred to as the Licencing Authority) shall be—

- (i) The Director of Transport, Panjim in relation to Goa area;
- (ii) The Collector of Daman in relation to Daman area; and
- (iii) The Administrator of Diu in relation to the Diu area.

2.2 (i) Every application for the grant of a Licence shall be made to the Licencing Authority;

(ii) On receiving the application the Licencing Authority may make such inquiries as may seem to him necessary to verify the particulars therein and to ascertain that the applicant is not disqualified or liable to be disqualified for holding a licence.

(iii) No licence shall entitle the holder to drive a public service vehicle unless it contains an authorisation as set forth in the Form D granted or countersigned by the Licencing Authority.

(iv) No such authorisation shall be granted by the Licencing Authority unless it is satisfied that the applicant for authorisation to drive a public service vehicle has had at least one year's experience of driving a transport vehicle and has not been convicted of any offence indicating incapacity as a driver of such vehicle.

(v) Application for grant or countersignature of an authorisation as aforesaid shall be made in the Form L. P. S. A.

(vi) The Licencing Authority may require the applicant to pass the test described in the third Schedule to the Act, notwithstanding that the applicant had previously passed the same test.

(vii) Where the authorisation is granted or countersigned by an authority other than that which issued the licence, intimation shall be sent by the counter-signing authority in the Form L. P. S. to the authority which originally issued the licence.

(viii) The fee for the test for grant of authorisation to drive a public service vehicle shall be two rupees.

(ix) Any order by the Licencing Authority refusing to grant or countersign an authorisation shall be appealable in the same way as an order of a Licencing Authority refusing to issue or renew a licence, and the provisions of Section 13 shall apply to such appeals.

2.3 Testing Officer.—(i) The test of competence to drive as set forth in the third schedule to the Act shall be conducted by an Inspector of Motor Vehicles.

Provided that it shall be competent for the Licencing Authority or for any person nominated by him in that behalf require a driver to undergo more than one test of competence.

(ii) Subject to sub-section (7) of section 7 the applicant shall furnish a serviceable vehicle of the class to which the application refers and present himself for the test at such time and place as may be specified by the Licencing Authority or the testing officer.

(iii) The fee payable for the test of competence to driver shall be five rupees for each test, to be

paid before the test is commenced. The fee shall not be refunded in any circumstance.

2.4 Appellate Authority.—(i) The authority empowered under sub-section (2) of section 13 and sub-section (3) of section 15 to hear appeals against the decision of a Licencing Authority shall be the Secretary to the Government.

(ii) The authority empowered under sub-section (2) of section 16 to hear appeals against the decision of a State Transport Authority shall be the authority empowered to hear appeals against order made by a State Transport Authority under Chapter IV of the Act.

2.5 Conduct and hearing of appeals.—(i) Every appeal shall be preferred in duplicate in the form of a Memorandum, one copy of which shall bear a Court fee of one rupee, setting forth concisely the grounds of objections to the order of Licencing Authority or the State Transport Authority as the case may be, and shall be accompanied by a certified copy of that order.

(ii) When an appeal is lodged, a notice shall be issued to the authority against whose order the appeal is preferred in such form as the Appellate Authority may direct.

(iii) The Appellate Authority, after giving an opportunity to the parties to be heard, and after such further inquiry, if any, as it may deem necessary, may confirm, vary or set aside the order from which the appeal is preferred and shall make an order accordingly.

(iv) Any person preferring an appeal shall be entitled to obtain a copy of any document filed with the Licencing Authority in connection with the order appealed against on payment of fee calculated at the rate of 50 paise per page of about 200 words.

2.6 Photograph to be affixed to the Medical certificate.—(i) A photograph shall be affixed to the Medical certificate of fitness in Form C and it shall be firmly affixed to the Form and the medical practitioner shall affix his signature or seal to the photograph in addition to signing the Form.

(ii) The Licencing Authority may decline to accept a Medical certificate of fitness granted more than one month before the date of application or the grant of renewal of a licence as the case may be.

2.7 Requirement as to photograph.—(i) The copies of the photographs required by sub-section (4) of section 7 shall be not more than fifty millimetres by sixty five millimetres in size.

(ii) The photograph of the holder when affixed to the licence shall be sealed with the seal of the Licencing Authority in such a manner that part of the impression of the seal is upon the photograph and part on the margin.

(iii) If at any time it appears to the Licencing Authority that the photograph affixed to a licence has ceased to be a clear likeness of the holder, the Licencing Authority may require the holder to surrender the licence forthwith and to furnish two clear copies of recent photograph of himself, and the holder shall within such time as the Licencing Authority may specify appear in person before the Licencing Authority and present the photograph accordingly.

(iv) Upon receipt of the copies of the photograph as provided in the preceding sub-rule, the Licencing

Authority shall remove the old photograph from the licence and affix a seal thereto one copy of the new photograph and return the licence to the applicant, and shall, if he is not the Licensing Authority by whom the licence was issued, forward the second copy of the photograph to that authority;

Provided that if the holder of the licence so desires the Licensing Authority shall issue a duplicate licence of the new photograph affixed thereto and shall destroy the original licence.

(v) When a new photograph is affixed to a licence, a note shall be made upon the photograph of the date of affixture.

(vi) The fee for a duplicate licence issued under the proviso 2 sub-rule (4) shall be five rupees.

2.8. Licence lost or destroyed. — (i) If at any time the licence is lost by the holder or is destroyed, the holder shall forthwith intimate the fact in writing in Form L. L. D. or in a letter setting out the particulars required by Form L. L. D. to the Licensing Authority in whose area he has his place of residence at the time.

(ii) Upon the receipt of intimation as aforesaid, the Licensing Authority shall, if he is not the authority by whom the licence was issued, apply to that authority for particulars of the licence and of any endorsement thereon, and after making such inquiries as he thinks fit, shall if he is satisfied that a duplicate may properly be issued, issue a duplicate licence.

(iii) Where a photograph is required to be affixed to a duplicate licence issued under the provisions of these rules the holder of this licence shall furnish the Licensing Authority with two clear copies of a recent photograph of himself, one of each shall be affixed to the duplicate licence.

(iv) Fee for a duplicate licence issued under this rule shall be five rupees:

Provided that if the licence is lost while in custody of a Court or an authority to which it has been submitted or surrendered in pursuance of the provisions of the Act or these rules duplicate copy shall be issued free of charge.

(v) When a duplicate licence has been issued upon representation that a licence has been lost and the original licence is afterwards found by the holder, he shall deliver it forthwith to the Licensing Authority.

(vi) Any other person finding a driving licence shall deliver it to the holder of the licence or to the nearest Police Station.

2.9 Defaced or Torn licences. — (i) If at any time it appears to a Licensing Authority that a licence held by any person is so torn or defaced that it has ceased to be reasonably legible or that any important part of the original licence has been detached or is missing or that any unauthorised alterations have been made, the Licensing Authority may impound the licence and issue a duplicate.

(ii) If any of the entries are still illegible or are missing or it appears that they have been detached or altered without authority, the Licensing Authority shall, if he is not the authority by whom the licence was issued, apply to that authority for particulars of that licence and of any endorsement thereon, and after making such inquiry as he thinks fit shall, if he is satisfied that a duplicate may properly issued, issue a duplicate licence.

(iii) If a licence impounded as aforesaid is required to have a photograph of the holder affixed thereto then —

- (a) if the photograph on the impounded licence is in the opinion of the Licensing Authority satisfactory and conveniently transferable to the duplicate licence, the Licensing Authority may so transfer, affix and seal the photograph to the duplicate licence; but
- (b) If the photograph affixed to the licence impounded is not in the opinion of the Licensing Authority such as can be transferred to the duplicate licence, the holder of the licence shall, on the demand of the Licensing Authority furnish two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate licence and sealed.

(iv) The fee for a duplicate licence issued under this rule shall be five rupees.

2.10 Issue of duplicate licences. — When a duplicate licence is issued under rule 2.7, rule 2.8 or rule 2.9, it shall be clearly stamped «duplicate» in red and shall be marked with the date of issue of the duplicate and the seal of the Licensing Authority.

2.11 Temporary authorisation in lieu of a licence.

(i) When the holder of a licence has surrendered it to a Licensing Authority or other authority for renewal or for obtaining an endorsement to drive a public service vehicle or for any other purpose under the Act or these rules, and has deposited the prescribed fee, and the licence has not been suspended or cancelled, the Licensing Authority or other authority shall furnish him with a receipt for the licence in Form L-Tem or in Form L-Tem (police) and during such time as the receipt shall be specified to remain in force, it may be produced in place of the licence under subsection (1) of section 86.

(ii) The granting authority in the case of a receipt in Form L-Tem or a Magistrate of the First class in the case of a receipt in Form L-Tem (Police), may at his discretion extend the term of the receipt issued under the preceding sub-rule by order endorsed thereon;

Provided that a Magistrate shall not extend the term of a receipt if the holder of the licence is present before him and the licence is available in Court.

(iii) No fee shall be payable in respect of a receipt given under this rule.

2.12 Procedure when licence is forwarded to a Court. — (i) Notwithstanding anything contained in the proviso to sub-section (3) of section 86, in cases where a driver driving as a paid employee or the driver of a transport vehicle has forwarded his licence to a Court under sub-section (2) of section 130 it shall, subject to the condition in sub-rule (ii) of this rule be a sufficient compliance with section 68 if he produces the licence within 10 days (or in the case of any driver, who does not receive the licence back from the Court within 10 days, within four days of its receipt) at a Police station or such other place in the region as may be specified by the Police Officer or other authority making the demand.

(ii) No driver shall be entitled to the benefit of sub-rule (i) unless he exhibits to the Police Officer or authority who has demanded the production of his licence —

(a) the summons received by him from the court being a summons requiring him to attend on a date not more than 14 days before or after the date on which the demand is made, and

(b) the postal receipt for the registered letter under which the licence has been forwarded to the Court.

2.13 Driving permit for learners.— (i) Sub-section (1) of section 3 shall not apply to any person driving a motor vehicle in a public place during the course of receiving instruction or of gaining experience in driving with the object of presenting himself for the test required by clause (a) of sub-section (6) of section 7 so long as —

- (a) The driver has obtained and carried a learners driving permit in Form L. Lr. entitle him to drive the vehicle;
- (b) There is beside the driver in the vehicle as instructor a person duly licensed to drive the vehicle and seating in such a position as to be able readily to stop the vehicle;
- (c) There is affixed both to the front and rear of the vehicle a white plate or card 180 millimetres square, bearing the letter «L» in red 100 millimetres high and 90 millimetres wide;
- (d) No fare paying passengers are carried in the vehicle:

Provided that clause (d) shall not apply to a person driving a two wheeled motor cycle with or without a sign card attached.

(ii) An application for a permit to drive as a learner shall be made in Form L. Lr. A to the Licencing Authority having jurisdiction in the area in which the applicant ordinarily resides and shall be accompanied by a fee of three rupees.

(iii) A learner's driving permit shall be valid for a period of three months and may be renewed for a further period of three months on payment of a fee of three rupees for each renewal.

(iv) A Licencing Authority may for any reason which he thinks fit, refuse to issue or to renew a learner's driving permit or may revoke such a permit issued by it.

(v) Any person aggrieved by an order passed under sub-rule (iv) may appeal within 30 days to the Secretary to the Government, whose decision shall be final.

(vi) A person driving as a learner shall produce a learner's driving permit for examination on the demand of any Police Officer in uniform.

2.14 Disqualification under sections 15 and 16.—

(i) A Licencing Authority taking possession of a licence under sub-section 2 of section 15, shall, if the licence was issued under the Act and was granted by another Licencing Authority, intimate the fact to that authority.

(ii) When a State Transport Authority declares a person disqualified under sub-section 1 of section 16, it shall, if the person holds a licence, endorse the licence accordingly and shall send intimation of such declaration to the authority by whom the licence was issued.

2.15 Intimation to original authority of endorsement and renewal.— (i) The Court making or causing to be made an endorsement on a licence of section 19, shall send intimation in Form LE to the Licencing Authority by whom the licence was issued.

(ii) The Licencing Authority renewing a licence under the provision of sub-section (4) of section 11, shall intimate the fact to the licencing authority by whom the licence was issued in Form LR.

(iii) A Licencing Authority acting under sub-section 3 of section 6, to add to the classes of the motor vehicles which a licence authorises the holder to drive shall, if it is not the authority by whom the licence was issued, intimate the addition to that authority in Form L.Ad.

2.16 Refusal to renew.— The Licencing Authority may require an applicant to undergo a driving test if a period exceeding 3 years has elapsed since the date of last renewal and if the applicant fails to pass the test shall refuse to renew the licence.

Provided that no fee shall be payable by any holder of a driving licence under sub-section (8) of section 7 who is or has been serving in any army unit abroad whether employed on driving vehicle or otherwise, if he applies for the licence while abroad or within three months from his return from service abroad and satisfied the Licencing Authority that he was serving in army unit abroad then the three years period elapsed.

2.17 Change of address of licence holder.— The holder of a licence entitling him to drive as a paid employee or to drive a public service vehicle shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary or permanent address as notified on the licence to the Licencing Authority by whom the licence was issued and to the Licencing Authority by whom it was last renewed.

2.18 A sum of rupees eleven only shall be charged as fee for the grant of a licence under sub-section (8) of section 7, and nine rupees for the renewal of a licence under subsection (3) of section 11 from the holder of a driving licence issued under sub-section (8) of section 7:

- (a) if such person is or has been serving in any army unit abroad whether employed or driving motor vehicles or otherwise; and
- (b) if the application for the grant of renewal of the licence is made within three months of his return from service abroad.

Such persons shall be exempt from payment of the remaining portion of the fee, if any, payable under the said section.

- (c) Validity of a licence issued under sub-section (8) of section 7 shall be three years from the date of issue.

CHAPTER III

Registration of Motor Vehicles

3.1 Entry of laden weight in the certificates of Registration of old vehicles.— (i) After the first day of January 1965 no owner shall permit any goods vehicle to be driven in any public place, being a goods vehicle deemed to be registered under the Act by virtue of the provisions of sub-section (2) of section 23, unless the registered laden weight is stated in the certificate of registration and exhibited on the vehicle in the manner specified in rule 3.9

Provided that if the certificate of registration being a certificate issued before the date when

these rules come into force, includes particulars of the unladen weight and the permissible load or carrying capacity, the sum of the unladen weight and the permissible load, or the sum of the unladen weight and the carrying capacity as the case may be, shall until other entries are made be deemed to be the registered laden weight of the vehicle.

(ii) The owner of a goods vehicle the certificate of which does not contain the particulars required by the preceding sub-rule shall before the 15th February, 1965 apply in Form R. L. W. to the Registering Authority of the area in which the goods vehicle is normally kept, for the assignment of a registered laden weight to the vehicle.

(iii) Upon receipt of an application under sub-rule (2) the Registering Authority may call upon the applicant to produce the vehicle at such time and place and before such person as the Registering Authority may appoint.

(iv) After causing the vehicle to be inspected and making such enquiries as he may deem to be necessary, the Registering Authority shall assign a registered laden weight to the vehicle and call upon the registered owner to produce the certificate of registration and enter the same therein.

(v) If the Registering Authority assigning the registered laden weight in accordance with this rule is not the authority by whom the records of the registration are kept, he shall inform that authority.

3.2 Registering Authority. — The Functions of the Registering Authority shall be performed by the Licensing Authority, in the absence of any other person appointed as such.

3.3 Appellate authority. — The authority to hear appeals under section 35 shall be the Secretary to the Government.

3.4 Conduct and hearing of appeals. — (1) An appeal under rule 3.3 shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear court fee of one rupee, setting forth concisely the grounds of objection to the order of the Registering Authority, and shall be accompanied by a certified copy of that order.

(2) When an appeal is lodged, a notice shall issue to the Registering Authority, in such form as the appellate authority may direct.

(3) The appellate authority, after giving an opportunity to the parties to be heard and after such further enquiry if any as it may deem necessary, may confirm, vary, or set aside the order of the Registering Authority, and shall make an order accordingly.

(4) Any person preferring an appeal under the provisions of the Act and of this rule shall be entitled to obtain a copy of any document filed with the Registering Authority in connection with any order against which he is preferring an appeal on the payment of a fee calculated at the rate of eight annas per page of about 200 words.

3.5 Assignment of registered weights. — In assigning any weight other than the unladen weight to a transport vehicle under section 37, the Registering Authority may, if the owner so desires, assign a weight less than the maximum permitted by the provisions of that section as the registered laden weight or the registered axle weight of any axle.

3.6 Assignment and exhibition of registration marks. — (1) The registration marks to be assigned under sub-section (3) of section 24 will be as set forth in the Second Schedule to these rules.

(2) The registration mark shall be clearly and legibly exhibited on a plane surface on a plate or part of the vehicle both at front and rear facing direct to the front or rear (as the case may be), in the manner hereinafter specified.

(3) Motor vehicles owned by the State Government shall carry the distinctive registration plate in the form illustrated in the First Schedule of these rules. The name of the Department to which the vehicle belongs shall be shown on this plate and the letters and numerals of the registration mark and the name of the Department shall be in English.

(4) The registration mark shall be in English letters and numerals:

(a) Save in the case of a motor cycle or in invalid carriage the letters shall be not less than 65 millimetres high and fifteen millimetres thick at any part; the numerals shall not be less than ninety millimetres high and twenty millimetres thick at any part, and there shall be a space between any letter and any numeral, and between any letter or numeral and the edge of the plane surface of not less than thirteen millimetres and a space between any two letters and between any two numerals of not less than ten millimetres.

(b) In the case of a motor cycle or an invalid carriage, the letters shall be not less than 42 millimetres high and ten millimetres thick at any part. The numerals shall be not less than 59 millimetres high and thirteen millimetres thick at any part, and there shall be a space between any letter, and any numeral, and between any letter or numeral and the edge of the plane surface of not less than 8 millimetres and a space between any two letters and between any two numerals of not less than six millimetres.

(5) The plane surface aforesaid shall not be inclined from the vertical by more than thirty degrees. The letters and numerals shall be exhibited in the following manner:

(a) In the case of a transport vehicle other than a motor cab, both registration marks assigned to the vehicle under sub-section (3) of section 24, shall exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below.

(b) In all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines as aforesaid or in one horizontal line.

(6) Notwithstanding anything contained in sub-rule (2), the registration mark exhibited at the front of a motor cycle or of an invalid carriage may be displayed on a plate in a line with the axis of the vehicle and shall in such case be displayed on both sides of roof plate.

(7) If the registration mark exhibited at the front or rear of a public service vehicle other than a motor

cab is affixed to the vehicle at a distance of 914 millimetres or less from the ground a second registration mark shall be exhibited at roof level.

(8) If the letters and numerals are exhibited in any polished metallic surface they shall have plane and not rounded surfaces.

3.7 The registration mark on a trailer. — (1) The registration mark of a trailer shall be exhibited on a plane plate or surface on the left hand side of the trailer. The letters, figures, space and margin shall be of dimensions not less than those prescribed in clause (b) of sub-rule (4) of rule 3. 6. 6.

(2) The registration mark of the drawing motor vehicle required by the Act to be affixed to the rear of a trailer shall be in conformity with all the provisions of these rules applicable to the registration mark affixed to the rear of a motor vehicle.

3.8 Particulars to be painted on transport vehicles. — (1) Save in the case of motor cabs, delivery vans or trailers, of the nature specified in clause (i) in sub-section (3) of section 42, the particulars set forth below shall be exhibited in a fixed frame inside the vehicle, in the driver's cab, in English letters and numerals: —

1. Registered No. of vehicle
2. Name and address of owner as set forth in the certificate of registration
3. Engine No.
4. Chassis No.
5. Date of validity of certificate of fitness
6. The Registered unladen weight in kgs.
7. The registered laden weight in kgs.
8. Carrying capacity (a) if a stage carriage or a contract carriage the number of passengers for whom accommodation is provided,
 - (i). Upper Class
 - (ii) Lower Class and
 - (b) if a goods vehicle, in kgs.
9. Registered Front Axle Weight
10. Registered Rear Axle Weight
11. Number and size of tyres
 - (a) Front Axle
 - (b) Rear Axle
 - (c) Intermediate Axle, if any,

Signature and name of authority
issuing the original certificate of
registration.

Place of issue
Date

(2) The full name of the company, society, firm or person owning the vehicle as set forth in its registration certificate shall be exhibited on both sides of every transport vehicle other than motor cabs, delivery vans and trailers, in English block letters measuring 100 millimetres in height and 20 millimetres in thickness:

Provided that with the approval of the State Transport Authority abbreviation of names may be used.

(3) This rule shall not apply to any vehicle registered under section 39.

3.9 The authority prescribed to grant or renew a certificate of fitness and to perform all the functions which are to be discharged by a prescribed Authority under Section 39, shall be an Inspector of Motor Vehicles.

3.10 Applications for certificates of fitness. — (1) For the grant or renewal of a certificate of fitness a transport vehicle shall be presented to the Inspector of Motor Vehicles in whose functional area includes the major portion of the route or area to which the permit of the vehicle extends:

Provided that in the case of an original application for a certificate of fitness the vehicle may be produced before any Inspector of Motor Vehicles.

(2) If owing to mechanical breakdown or other cause a motor vehicle is at the time when the certificate expires, outside the functional area of the Inspector of Motor Vehicles by whom the certificate is to be renewed, any Inspector of Motor Vehicles may, without prejudice to any penalty to which the owner may have become liable, if the vehicle is in the opinion of the Inspector fit for use, by endorsement in Form C. F. Sub. and object to such conditions as the Inspector may specify, authorise its use for such time as may be reasonable.

(3) Every application for the grant or renewal of a certificate of fitness shall be made with an inspection fee of two rupees.

3.11 Procedure of Inspection. — (1) The Inspector of Motor Vehicles before whom a vehicle is produced for the issue of renewal of a certificate of fitness may:

- (a) issue a certificate or renew the former certificate in respect of the vehicle;
- (b) defer a decision regarding the issue or renewal of a certificate of fitness pending the rectification of certain defects; or
- (c) refuse to issue a certificate or renew the former certificate.

If the course described at (b) is followed, the Inspector of Motor Vehicles shall supply the owner of the vehicle or his agent with a list of the defects requiring correction in Form C. F. X. and pending the carrying out of the repairs shall suspend and impound any certificate of fitness previously in force in respect of the vehicle. In completing Form C. F. X. the Inspector of Motor Vehicles shall note the conditions under which it shall be permissible for the vehicle to be used pending the grant or renewal of the certificate. These conditions shall in no case permit the use of the vehicle for the conveyance of passengers for hire or reward or for the carriage of goods other than goods carried in connection with the repairing of the vehicle.

(2) If the Inspector of Motor Vehicles defers its decision under clause (b) in the preceding sub-rule and supplies the owner of the vehicle or his agent with a list of defects in Form C. F. X. and if thereafter the vehicle is not produced for further examination within a period of two months (or such longer period as may have been specified by the Inspector of Motor Vehicles in the Form C. F. X.) the certificate of fitness if it has already expired, shall be deemed to be cancelled with effect from the date when it was suspended.

(3) In issuing or renewing a certificate of fitness the Inspector of Motor Vehicles shall endorse thereon

the period for which the certificate shall remain effective and the date, time and place appointed for the next inspection of the vehicle.

(4) Fees for the grant or renewal or duplicate of a certificate of fitness shall be ten rupees.

3.12 Cancellation and suspension of certificates of fitness. — (1) The Inspector of Motor Vehicles may cancel the certificate of fitness of a transport vehicle under sub-section (3) of section 38 or may suspend the certificate for a period not exceeding two months if in the opinion of the Inspector of Motor Vehicles it does not comply with the provisions of Chapter V of the Act or with these rules.

(3) When a certificate of fitness has been suspended under the preceding sub-rule, the owner of the vehicle may at any time within the period of suspension, after making the necessary repairs, produce it for further examination before the Inspector of Motor Vehicles (or any other Inspector of Motor Vehicles) the Inspector of Motor Vehicles shall thereupon proceed in accordance with sub-rule (1) of rule 3.11. If the vehicle is not so produced for further inspection within the period of suspension the certificate of fitness shall on expiry of the period be deemed to have been cancelled.

(3) The Inspector of Motor Vehicles cancelling or suspending a certificate of fitness under sub-rule (1) of this rule shall give the owner or other person in-charge of the vehicle a receipt therefor and a statement in writing of the reasons for such cancellation or suspension.

3.13 Report to be made when a certificate of fitness is cancelled or renewal is refused. — (1) In every case in which a certificate of fitness is cancelled or renewal of a certificate of fitness is refused or in which a certificate of fitness is deemed to have been cancelled under sub-rule (2) of rule 3.11 or sub-rule (2) of rule 3.12 in consequence of the failure of the owner to produce a vehicle for further examination, a report shall be made by the Inspector of Motor Vehicles who has registered the vehicle.

(2) In every case in which a certificate of fitness is cancelled, the authority making the order shall impound the certificate.

(3) Nothing in this rule or in rules, 3.9, 3.10, 3.11 and 3.12 shall apply to any transport vehicle registered under section 39.

3.14 Temporary registration of newly sold vehicles.

— (1) When for any reason it is impracticable for the purchaser of a newly sold vehicle to obtain a registration certificate in the ordinary course, owing to a temporary closure of the office of the Registering Authority or for other similar reason, or where the purchaser of a newly sold vehicle intends to export it at once beyond the limits of the Union Territory of Goa, Daman and Diu or to take it immediately to the district where he has his permanent residence or place of business, a temporary certificate of registration in the Form C Ten and a temporary registration mark may be issued under this rule, and the temporary certificate and registration mark shall for the time being serve all the purposes of a regular certificate and registration mark. The fee for the issue of temporary certificate of registration shall be five rupees.

(2) A temporary certificate of registration or a temporary registration mark shall not be issued except in respect of a vehicle which has not previously been registered under the Act.

(3) Every application for a temporary certificate of registration shall be in writing and shall indicate the district or place where the vehicle is intended to be produced for permanent registration. It shall be supported by a certificate from the person or firm from whom the vehicle has been purchased to the effect that it has been sold to the applicant on the day when the certificate is signed.

(4) A temporary certificate of registration shall not be valid for more than thirty days and shall not be capable of renewal.

(5) An authority issuing a temporary certificate of registration shall at the same time assign to the vehicle a distinguishing mark to be displayed thereon in the manner prescribed for distinguishing marks assigned under sub-section (3) of section 24 the letters and figures composing the marks being in red on a yellow ground.

3.15 Loss or destruction of certificate of registration of a vehicle other than transport vehicle. — (1) If at any time the certificate of registration of a vehicle other than a transport vehicle is lost or destroyed, the owner shall forthwith intimate the facts in writing to the Registering Authority by whom the certificate was issued or by whom the registration mark of the vehicle was assigned under section 29 and shall apply in Form C. R. L. D. to the said authority for the issue of a duplicate certificate.

(2) Upon the receipt of an application in Form C. R. L. D. together with a fee of five rupees the Registering Authority may after making such inquiries as appear necessary issue a duplicate certificate of registration in Form G. clearly stamped «Duplicate» in red ink.

3.16 Loss or destruction of certificate of registration and certificate of fitness of a transport vehicle. — (1) If at any time the certificate of registration and the certificate of fitness of a transport vehicle are lost or destroyed, the owner shall forthwith intimate the fact in writing to the Registering Authority by whom the certificate of registration was issued or by whom the registration mark was assigned under section 29 and shall apply in Form C. R. L. D. Tran. to the said authority for the issue of a duplicate certificate of registration and certificate of fitness.

(2) Upon the receipt of an application in Form C. R. L. D. together with a fee of (five) rupees the Authority may, after making such enquiries as appear necessary and obtaining particulars of the original certificate of fitness from the Inspector of Motor Vehicles by which it was issued or last renewed, issue a duplicate certificate of fitness in Form H clearly stamped «Duplicate» in red ink.

3.17 Procedure when a lost certificate is subsequently found. — (1) When a duplicate certificate of fitness or certificate of registration has been issued upon representation that the original has been lost and the original is afterwards found by the holder, the original certificate of fitness or certificate of registration shall be delivered forthwith to the Registering Authority.

(2) Any other person finding a certificate of fitness or certificate of registration shall deliver it to the holder or to the nearest police station.

3.18 Temporary receipt for certificate of registration or certificate of fitness taken into possession by a competent authority. — (1) When the holder

or a certificate of registration and a certificate of fitness of a transport vehicle has submitted them to a Registering Authority or other authority for any purpose under the Act or these Rules and neither the certificate of registration nor the certificate of fitness has been suspended or cancelled, the Registering Authority (or other authority) shall furnish him with a receipt for the certificate of registration in Form R. Tem. and during such time as the receipt shall be specified to remain in force it may be produced in place of the certificate of registration or the certificate of fitness under sub-section (2) of section 86.

(2) Any authority granting a receipt under the preceding sub-rule may at his discretion extend the term thereof by order endorsed thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

3.19. — The fee for the issue of certificate of registration of a motor vehicle shall be —

- (a) In respect of a trailer not having more than two wheels and not weighing more than one ton unladen or a motor cycle — Twelve rupees.
- (b) In respect of a light motor vehicle — Eighteen rupees.
- (c) In respect of any other vehicle — Thirty six rupees.
- (d) In respect of a duplicate certificate of registration — Five rupees.

(2) The fee for the registration of transfer of ownership of any vehicle under section 31 shall be two rupees.

Provided that no registration fee shall be payable for registering vehicles already registered under the law in force immediately before the commencement of the Act.

(3) There shall be no fee for the assignment of a new registration mark under section 29 for recording the change of address of an owner under section 30 or for recording an alteration to a motor vehicle under section 32.

3.20 Authority to suspend certificate of registration. — Any magistrate of the first or second class or any police officer not below the rank of Deputy Superintendent and any officer of the Motor Vehicles Department not below the rank of Inspector of Motor Vehicles may suspend the registration of a motor vehicle under section 33.

3.21. — (1) When in an application for the registration of a motor vehicle the parties, to an agreement of hire purchase declare, in the form of the note endorsed on Form E that the vehicle is subject of such an agreement, the Registering Authority shall complete and affix his signature to the note appended to Form G but shall not be required to satisfy himself as to the title of the two parties in the vehicle nor shall the note endorsed on Form G in any way effect the title of any party.

(2) If, upon termination of an agreement of hire purchase or otherwise, the registered owner and the other party desire that the note on Form G relating to such an agreement shall be cancelled they shall apply in Form H. P. Ter. to the Registering Authority by whom the vehicle was registered or by whom a new registration mark has been assigned

to the vehicle under section 29, and the Registering Authority shall thereupon cancel the note endorsed on Form G.

(3) Nothing contained in this rule shall prevent the Registering Authority from recording a change of the address of the Registered owner on the certificate of registration as provided in section 30, nor shall the Registering Authority be required to inform the other party to an agreement of hire purchase of any intimation of change of address; but the Registering Authority shall not record any transfer of ownership of a motor vehicle under section 31, so long as the certificate of registration contains the note of an agreement of hire purchase, unless the other party to that agreement signifies his consent to such transfer by endorsement upon Form T.O.

(4) If the other party to an agreement of hire purchase satisfies the Registering Authority that he has taken possession of the vehicle owing to the default of the owner under the provisions of the agreement and that the owner has absconded or refuses to deliver the certificate of registration, the Registering Authority may, after giving the owner an opportunity of being heard and notwithstanding that the certificate of registration is not produced, cancel the certificate of registration and issue a duplicate certificate of registration and deliver the same to the other party.

(5) The owner shall be deemed to have been given an opportunity of being heard within the meaning of the preceding sub-rule if a notice has been sent to him by registered post to the address stated in the certificate of registration.

(6) If a note in respect of an agreement of hire purchase is to be endorsed on a certificate of registration, there shall be payable in addition to the registration fee a sum of ten rupees. No fee shall be payable in respect of the cancellation of the note under sub-rule (2). There shall be payable for recording transfer of ownership a further fee of rupees two when the transfer is of a vehicle which is the subject of a hire purchase agreement.

3.22 Transfer of ownership. — (1) Intimation of transfer of ownership of a motor vehicle under sub-section (1) of section 31 shall be made in Form T.O.

(2) Communication of transfer to the original Registering Authority under sub-section (2) of section 31 shall be in Form C R T I.

3.23 New registration mark. — (1) Application for a new registration mark under section 29 shall be made in Form R.M.A.

(2) The Registering Authority assigning a new registration mark to a motor vehicle shall intimate the fact to the owner and the other party, if any, to an agreement of hire purchase specified in the note on the certificate of registration, and shall apply to the original Registering Authority for transfer of the records of the vehicle in Form R.M.I.

3.24 Vehicles entering the province from outside. —

(1) When any motor vehicle which is not registered in the State has been kept therein for a period exceeding fourteen days, the owner or the other person the Registering Authority of the district in which in charge of the vehicle shall send the intimation to the Registering Authority of the District in which the motor vehicle is at the time of making the report and shall intimate —

- (a) his name and permanent address and his address for the time being;

- (b) the registration mark of the vehicle;
- (c) the mark and description of the vehicle; and
- (d) in the case of a transport vehicle the name of the authority within the State by whom the permit has been issued or counter-signed:

Provided that in the case of a transport vehicle covered by a permit having validity in the State it shall be necessary to make a report under this sub-rule upon the occasion of first entry only.

(2) Nothing in this rule shall apply to a motor vehicle which is exempted from registration under provisions of rule 3.26.

(3) Nothing in this rule shall apply to any vehicle registered under section 39.

3.25 Hiring agreement.— (1) When possession of a motor vehicle is transferred by the registered owner to another person under a hiring agreement, the registered owner shall forthwith intimate the fact and the full name and the address of the transferee to the Registering Authority of the area in which the said owner has his residence or place of business.

(2) Nothing in the preceding sub-rule shall make it necessary to give intimation of a hiring agreement when the vehicle is to be used thereunder as a stage carriage.

3.26 Exemption of vehicles in the possession of manufacturers or dealers.— (1) Section 22 shall not apply to a motor vehicle in the possession of a manufacturer or of a dealer in motor vehicles in the course of the business of the manufacturer or dealer so long as it is used under the authorisation of a trade certificate granted by the Registering Authority within whose area the manufacturer or dealer has his place of business.

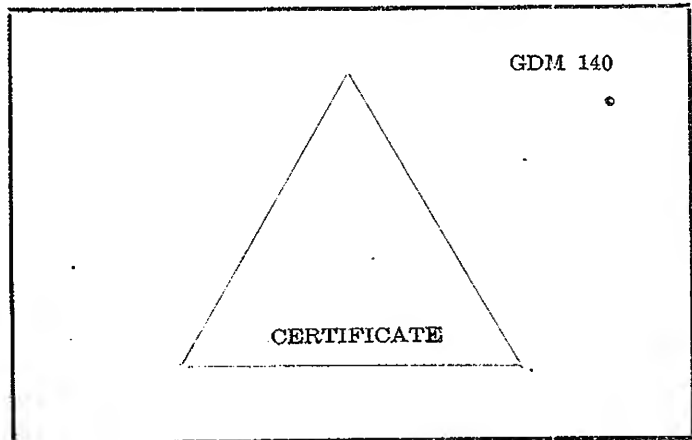
(2) Applications for the trade certificates shall be made in Form TCA and shall be accompanied by the prescribed fee.

(3) The fee for the trade certificate shall be one hundred rupees in respect of any number of certificates up to ten, and fifty rupees in respect of each additional number of five or less certificates. The fee shall be payable annually in advance.

(4) If the Registering Authority declines to issue a trade certificate or issues a less number of certificates than the number specified in the application, the fee or a proportion of the fee determined in accordance with sub-rule (3), as the case may be, shall be refunded to the applicant.

(5) Upon the receipt of an application for the trade certificates as aforesaid the Registering Authority shall if satisfied that the number of certificates applied for is reasonable in relation to the business of the applicant issue the certificates in Form TC accordingly and assign to the applicant a series of trade registration marks consisting of the three letters of the registration mark specified in the Second Schedule of these rules followed by not more than three figures and followed by one letter of the alphabet in respect of each certificate.

(6) The trade certificate shall be attached to the registration mark in a weatherproof holder, in the manner set out hereunder:—



(7) Not more than one vehicle shall be used in a public place at any one time under any one trade certificate.

(8) No person to whom a trade certificate is granted shall cause or allow it to be used upon any motor vehicle other than motor cycle unless the holder of the certificate or a bonafide employee of the holder is present in the vehicle or for any purpose other than one of the purposes set out below:—

- (a) For test during the course of or after completion of constructions or repairs.
- (b) For proceeding or returning from a weigh bridge for and after weighment, or to and from any place of its registration.
- (c) For reasonable trial by or for the benefit of a prospective purchaser and for proceeding to or returning from the place where such person intends to keep it.
- (d) For proceeding for the purchase of delivery to or from the premises of the dealer and from such premises to the premises of a purchaser or of another dealer.
- (e) For proceeding to or returning from a workshop with the object of fitting a body to the vehicle or of painting or of repairs.
- (f) For proceeding to or from a railway station or wharf for or after being transported.
- (g) For proceeding to or returning from an exhibition of motor vehicles or any place at which the vehicle is to be or has been offered for sale.

(9) (a) No vehicle carrying a trade registration mark and certificate shall be used as a transport vehicle under the authorisation of any permit or otherwise.

(b) The trade certificates granted in other States in the Indian Union shall be treated as valid in the Union Territory of Goa, Daman and Diu.

(10) (a) Every holder of a trade certificate shall keep a register in Form TCR and enter or cause to be entered in duplicate in such register full and true particulars of the purposes for which every vehicle leaves his premises under a trade certificate, of the driver in charge, and of the period during which the vehicle was on the road under a trade certificate, of driver in charge and of the period during which the vehicle was on the road under the trade certificate.

(b) The register shall be in the form of foil and counterfoil in a bound book the pages of which shall

be numbered serially. The necessary particulars except in regard to the time of return shall be entered in it by the holder of the certificate or his agent before the commencement of each trip. The register shall be open to inspection on demand, by any police officer not below the rank of sub-Inspector or the Assistant Inspector of Motor Vehicles.

(c) The foil containing the entries made prior to the commencement of the trip shall be carried by the driver of the vehicle and the counterfoil shall be returned for a period of thirty days after the trip has been completed and shall be exhibited on demand by any police officer authorised to inspect the register.

(11) If at any time the Registering Authority is satisfied that the holder of a trade certificate has contravened any of the provisions of this rule he may, after giving the holder an opportunity of making any representation which he may wish to make suspend or cancel any or all the trade certificate held by him.

3.27 Exemption of road plant. — Nothing in Chapter III of the Act shall apply to road rollers, graders and other road making or road cleansing plant.

CHAPTER IV

Control of Transport Vehicles

4.1 Term of appointment of members of the State Transport Authority. — (1) Any official appointed to be a member of the State Transport Authority shall continue as such until such time as the State Government may otherwise order. A non-official member of the State Transport Authority shall hold office for a period of two years and thereafter until a successor is appointed.

Provided that the State Government may at any time remove any non-official members:

Provided further that when any non-official member dies or is removed or vacates office his successor shall hold his appointment for the remainder of the period of office of the member whose place he takes and thereafter until a successor is appointed.

(2) A non-official member of the State Transport Authority shall be entitled to travelling allowance and halting allowance for attendance at meetings, and for any journeys performed by him under the orders of the Chairman in connection with the business of the authority, at the rates admissible to officers of Grade I (drawing pay less than Rs. 1,000 per mensem) under the Central Government's travelling allowance Rules.

Provided that: —

- (a) A non-official member, who has his residence at a place other than the headquarters of the Authority will draw halting allowance at full rate even for the day on which he may not have halted for full 24 hours at place at which the meeting of the Authority is held, and
- (b) A non-official member, who has his place of residence at the head quarters of the Authority shall be entitled to draw, for each day of attendance at a meeting of the Authority, a fee equal to the halting allowance to which he would have been entitled if he had his residence elsewhere.

4.2 Meetings of the State Transport Authorities. — (1) The State Transport Authority shall meet at such times and at such places as the Chairman may appoint.

Provided that the Authority shall meet not less than once in each month unless the Secretary to the Government otherwise directs.

(2) Two members shall constitute a quorum at a meeting.

Provided further that if a quorum is not present within half an hour after the time fixed for the meeting, the meeting shall be adjourned to such day and at such time and place, not earlier than ten days in any case, as the Chairman or the acting Chairman may appoint, and if at the adjourned meeting the quorum is not present within half an hour from the time appointed for the meeting, the members present shall form a quorum.

(3) The Chairman, if unable to attend a meeting, shall nominate a member to act as Chairman at the meeting.

If the Chairman, is himself does not appoint his nominee, the members present shall elect a member to act as Chairman at the meeting.

(4) The Chairman or the acting Chairman nominated under the preceding sub-rule shall have a second or casting vote.

4.3 Conduct of business of Transport Authorities. — (1) Subject to the provisions of the act and these rules the State Transport Authority shall have power to make by-laws to regulate the conduct of its business and shall likewise have power to amend such by-laws, and the business of such Authority shall be conducted accordingly under the direction of the Chairman.

(2) The Secretary shall issue to each member of the State Transport Authority, a copy of the agenda ten days before the actual date if the meeting at which it is to be considered.

(3) Save in the case of the hearing of an objection to the grant of a stage carriage permit or of a public carrier permit and in the case of the hearing of a representation under sub-section (6) of section 57, the State Transport Authority, may decide any matter without holding a meeting by the majority of the votes of members recorded in writing and sent to the Secretary (hereinafter referred to as procedure by circulation).

(4) In the procedure by circulation, the Secretary shall send to each member such particulars of the matter as may be reasonably necessary in order to enable the member to arrive at a decision and shall specify the date by which the votes of members are to be received in the office of the Authority. Upon receipt of the votes of members as aforesaid, the Secretary shall lay the papers before the Chairman, who shall record the decision by endorsement on the form of application or other document, as the case may be, according to the votes received and the vote or votes cast by the Chairman. The record of the votes cast shall be kept by the Secretary and shall not be available for inspection by any person save by a member at a regularly constituted meeting of the Authority. No decision shall be made upon procedure by circulation if before the date by which the votes of members are required to reach the office of the Authority, not less than one third of the members of

the Authority by notice in writing to the Secretary demand that the matter be referred to a meeting of the Authority.

(5) The number of votes excluding the Chairman's second or casting vote, necessary for a decision to be taken upon procedure by circulation shall not be less than the number necessary to constitute a quorum.

(6) The State Transport Authority, may summon any application for a permit to appear before it and may decline to grant the permit until the applicant has so appeared either in person or by an agent authorised by him in writing and until the applicant has furnished such information as may reasonably be required by the Authority in connection with the application.

(7) Nothing in this rule shall prevent the State Transport Authority from deciding upon the procedure by circulation any matter which has been considered at a meeting or has been the subject of a hearing and upon which a decision has been reserved.

(8) When a matter is decided by the votes of members present at a meeting, no person other than a member of the Authority shall be entitled to be present and no record of the voting shall be kept save of the number of votes cast on either side.

Provided that when any matter is decided by the exercise of the second or casting vote of the Chairman the fact shall be recorded.

(9) In case the non-official members of the State Transport Authority differ on any matter en bloc from the official members, the matter shall be referred for decision to the State Government.

4.4 — All orders and directions issued by the State Government under section 43-A, shall be published in the Official Gazette.

4.5 Refusal to accept applications of permits. — When a State Transport Authority has in the exercise of its powers under the Act imposed a limit upon the number of permits of any class which may be granted for a specified route or a specified area and has already granted such number of permit of that class, the Authority may decline to consider further applications for such permits in respect of any such route or area.

4.6 Publication of application. — (1) In pursuance of the provisions of sub-section (3) of section 57, upon receipt of an application for a stage carriage permit or a public carriers permit the Secretary of the State Transport Authority shall post a copy of the application, together with the notice of the date before which representations may be submitted and of the date appointed for consideration, on a notice board outside the office of the Authority.

(2) It shall be a sufficient compliance with the provisions of sub-section (3) of section 57, if the particulars specified in that sub-section are published at the cost of the applicant in a newspaper of standing circulating in the region and are posted on a notice board outside the office of the Authority not less than fifteen days before the date appointed for the receipt of representation.

(3) If upon publication of particulars of an application in respect of stage carriage permit or of the public carriers permit as aforesaid no representation is received in connection herewith within the

specified period, the application may if the Chairman so directs, be submitted for the decision of the Authority, by procedure by circulation.

4.7 Hearing of applications or objections. — (1) When an application for any permit is considered at a meeting of the State Transport Authority and the applicant desires to be heard in support of his application or has been summoned to appear under the provision of sub-rule (6) of rule 4.3. the applicant may either appear and conduct his case in person or may be represented by any person authorised by him in writing in his behalf.

(2) Any person who has made a representation in connection with an application for a stage carriage permit or a public carrier's permit within the period specified in and in accordance with the provisions of section 57 and of these rules, may appear before the Authority upon the date appointed for consideration of the application either in person or be represented by any person authorised by him in writing in this behalf.

(3) Any person or authority who has made a representation under the provisions of section 50 may appear before the Authority upon the date appointed for hearing representation either in person or by a representative authorised by him or by it, as the case may be, in writing in this behalf.

4.8 Applications for permits. — (1) Every application for a permit in respect of a transport vehicle shall be in one of the following Forms: —

- (a) In respect of a particular stage carriage... Form P. St. P. A.
- (b) In respect of a service of stage carriages... Form P. St. S. A.
- (c) In respect of a contract carriage... Form P. Co. P. A.
- (d) In respect of a private carrier's permit... Form P. Pr. C. A.
- (e) In respect of a public carrier's permit... Form P. Pu. C. A.
- (f) In respect of a temporary permit... Form P. Tem. A.
- (g) In respect of a casual contract carriage permit... Form P. Co. S. A.
and it shall be addressed to the Secretary of the Authority at the regular office of the Authority.

(2) In granting any permit the State Transport Authority shall have power to modify the terms of the application to a reasonable degree and in such a case the application shall be deemed to be an application for a permit in the form granted.

4.9 Forms of permits. — (1) Every permit shall be in one of the following Forms:...

- (i) In respect of a particular stage carriage... Form P. St. P.
- (ii) In respect of a service of stage carriages... Form P. St. P.
- (iii) A contract carriage permit... Form P.Co.P.
- (iv) A private carrier's permit... Form P. Pr. C.
- (v) A public carrier's permit... Form P. Pu. C.
- (vi) A temporary permit... Form P. Tem.
- (vii) In respect of casual contract carriage permit... Form P. SO. S.

(2) Save in the case of a temporary permit every permit shall be in two parts, A and B. One copy of

Part A shall be issued, together with a number of copies of Part B equal to the number of vehicles which the holder of the permit is permitted to have in use on the road at any one time. Each such copy shall carry in addition to the number of the permit a separate serial number contained in brackets after the number of the permit and shall be sealed and signed by the Authority by which the permit is issued and by the Authority by which the permit is countersigned.

(3) The holder of a permit shall cause the relevant copy of Part B thereof or the temporary permit, as the case may be, to be carried in a frame or other suitable container affixed to the inside of one of the doors used by passengers gaining access to the vehicle and shall maintain it in a clean and legible condition.

4.10. Entry of registration marks on permits. —

(1) Save in the case of a temporary permit, where the registration mark of the vehicle is to be entered on the permit and the applicant is not at the date of the application in possession of the vehicle duly registered, then the applicant shall within one month of the sanction of the application by the State Transport Authority or such longer period as the Authority may specify, produce the certificate of registration of the vehicle before that Authority in order that particulars of the registration mark may be entered in the permit.

(2) No permit shall be issued until the registration mark of the vehicle to which it relates has, if the form of permit so requires, been entered therein, and in the event of any applicant failing to produce the certificate of registration within the prescribed period the Authority may revoke its sanction of the application.

4.11 Temporary permits. — (1) A temporary permit may be granted to any person whether he is the registered owner of the vehicle or vehicles to be used thereunder or not.

(2) If at the time of application for a temporary permit, the applicant is not in possession of the vehicle or vehicles or has not entered into a contract to hire the vehicle or vehicles or otherwise satisfies the authority concerned that he is for good and sufficient reason unable to specify the registration mark or marks of the vehicle or vehicles to be used under the permit applied for the Authority competent to issue a temporary permit may, if it is satisfied that undue inconvenience would otherwise be caused, issue a temporary permit in which the registration mark of the vehicle is not set out, and may if it thinks fit require as a condition of the permit that the applicant shall within twenty-four hours, or such longer period as the authority may specify, of the commencement of the first journey under the authorisation of the temporary permit, furnish to the authority particulars of the registration mark.

(3) No temporary permit shall be deemed to authorise the use of any vehicle which is not duly registered or in respect of which there is not in existence a valid certificate of fitness or which otherwise contravenes any of the provisions of the Act or Rules made thereunder.

4.12 Special permit for contract carriage. — (1) In granting a contract carriage permit or a stage carriage permit, the State Transport Authority may

attach thereto a condition enabling the vehicle to be used as a contract carriage outside the area in respect of which the permit has been granted, provided that on each occasion when the holder of the permit seeks so to use the vehicle he obtains a special permit.

(2) The State Transport Authority may under subsection (6) of section 63 grant a special permit in Form SP for a period not exceeding one month, which may, if necessary, be extended for a further period not exceeding one month.

(3) The fee for the grant of such special permit shall be the same as prescribed under rule 4.14 for the issue of the temporary permit and the vehicle, in respect of which such special permit is granted, shall display prominently on the windscreen a special distinguishing mark, specified by the Central Government.

4.13 Extension of validity of the permit. — A Transport Authority outside the State may, with the concurrence of the State Transport Authority and subject to any conditions which may be mutually agreed upon by Authorities concerned, extend the effect of any permit to the whole of the Union Territory of Goa, Daman and Diu or to any route or area therein.

4.14 Fees for permits and for countersignatures. —

(1) The fee in respect of the grant or renewal or countersignature of a regular permit shall be twenty rupees for each Part «B»; and five rupees for Part «A». Provided that no fees shall be charged for countersignature where the Union Territory has entered into a reciprocal agreement with the other State for exemption from the payment of such fees.

(2) The fees in respect of temporary permit or for countersignature of a temporary permit shall be five rupees for each calendar month or part thereof.

4.15 Limitation of capacity of stage carriages and contract carriages. — Save with the special permission of the State Government, no permit or countersignature on a permit shall authorise the conveyance of more than fifty six passengers excluding driver and conductor in any stage carriage or contract carriage.

4.16 Carriage of goods in stage and contract carriages. — (1) No goods shall be carried on the top deck of a double deck stage carriage.

(2) No goods liable to foul the interior of the vehicle or render it insanitary shall be carried at any time in any stage carriage or contract carriage.

(3) The State Transport Authority may specify in any permit the goods which shall not be carried in a stage carriage or contract carriage or the conditions subject to which certain classes of goods may be so carried.

(4) Subject to the provision of preceding subrules, goods may be carried in a stage carriage or contract carriage at any time in accordance with the conditions specified in the permit, provided that the obligation of the holder to carry passengers in accordance with the terms of the permit is discharged.

(5) If the holder of the stage carriage permit uses a vehicle or vehicles authorised by the permit for

the carriage of goods to the detriment of the public convenience by failing thereby to meet the demand for passenger transport, the State Transport Authority may, after giving the holder an opportunity of being heard, declare that a breach of the conditions of the permit has occurred and may thereafter proceed under the provisions of section 60.

(6) When goods are carried in a stage carriage in addition to passengers the goods shall be of such a nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger. Such number of seats as may be specified in the permit shall be kept free and unimpeded for the use of passengers and the access to the entrance to and exit from the vehicle required under Chapter V of these rules shall be unobstructed.

(7) The weight in kilograms of goods and personal luggage (other than the luggage and effects allowed under sub-rule (1) of rule 4.17) carried in a stage carriage or motor cab shall not exceed (N-X)X160, the letters in the formula signifying —

N — the maximum number of passengers for which the vehicle might be registered under these rules;

X — The number of passengers carried on the vehicle, or the number of passengers for whom seats are kept free and unimpeded by goods, whichever is greater.

4.17 Carriage of personal luggage in stage or contract carriages. — (1) In case of a permit of stage carriage, it shall be a condition that the maximum free luggage of a person which may be carried is fifteen kilograms, save in the case of a City Bus where the limit of free luggage shall not exceed five kilograms provided it is carried by the passengers on his lap or underneath his seat.

(2) Subject to any directions issued by the Government, the State Transport Authority may impose on the use of any contract carriage conditions in regard to the weight of luggage and goods which may be carried therein, generally or in any specified area.

Provided that in the case of a contract carriage other than a motor cab the weight of the goods allowed shall not exceed that permitted under these rules in the case of a stage carriage.

4.18 Obligation to carry a conductor. — (1) The State Transport Authority may attach to any stage carriage permit or a permit pertaining to a goods vehicle a condition that the conductor or a cleaner shall be carried at the back of the vehicle at all times or any specified time.

(2) A condition included in a permit under sub-rule (1) may direct that a conductor shall also be carried when the vehicle is being used as a contract carriage.

4.19 Carriage of mail in a stage carriage. — The State Transport Authority may attach to any stage carriage permit a condition that the holder shall, if required, carry mail at such rate as may be fixed by the State Transport Authority in consultation with the Postal Authorities concerned.

4.20 Further conditions that may be attached to a stage carriage permit. — The State Transport

Authority may attach any stage carriage permit or contract carriage permit any one or more of the following conditions namely: —

- (a) that any passengers or goods that may be taken up within the limit of a particular municipality or any other specified area shall be conveyed outside and shall not be set down, within those limits or within that area;
- (b) that in passing along any specified route (to be referred to as a «corridor») in any specified area no passenger or goods shall be taken up or set down within that area;
- (c) that the holder of a permit for a stage carriage or a contract carriage shall provide uniforms to drivers and conductors as specified by the State Transport Authority.

4.20-A. Where stage carriage permits issued under section 48 of the Motor Vehicles Act 1939, in respect of stage carriage services contains regulations for the timings of arrival or departure of stage carriages in accordance with the provisions of clause (c) of section 48, save with the permission in writing to the State Transport Authority issuing any such permit, not more than one stage carriage at a time in any service shall be permitted to arrive at or depart from any particular place in accordance with such regulations.

4.20-B. The vehicle used by the Air Transport Companies for the conveyance of more than nine passengers excluding driver shall under sub-section (1) of section 42, obtain permits from the State Transport Authority concerned.

4.21 Restriction on the picking up of passengers by a motor cab outside the area which the vehicle is primarily intended to serve. — The State Transport Authority may at any time include in the permit of any motor-cab a condition that no passenger shall be taken into the motor-cab at any place outside the headquarters area of the motor-cab unless the passenger has applied and has contracted to be carried in the motor-cab the whole way from that place to some place within the headquarters area as aforesaid; and in such case the State Transport Authority shall specify in the permit the limit of the said headquarters area.

4.22 Condition that may be attached to a permit. — The State Transport Authority may attach to any stage carriage permit or contract carriage permit a condition that the holder shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated conformably with the Act and the rule and with due regard for the comfort, convenience and safety of the public and of any passengers carried.

4.23 Condition that may be attached to a public carrier's permit. — The State Transport Authority may attach to any public carrier's permit: —

- (a) a condition that in passing along any specified route (to be referred to as a «corridor») in any specified area, no goods shall be taken up or set down within that area; and
- (b) a condition restricting the type and the ownership of goods which may be carried.

4.24 Transitional provisions.— (1) The Government may by notification in the Official Gazette:

- (i) declare that any permit, licence or other document issued by the competent authority within the region under the provisions of any rules made under any law or rules in force at the commencement of these rules, shall, notwithstanding that any other date of termination is written therein, be deemed to be a permit granted by the State Transport Authority in accordance with the provisions of section 42 and be and remain effective upto such date and subject to such conditions as may be specified in such notification in respect of all such permits, licences, or other documents or any such class or classes thereof; and
- (ii) call upon the holder of any permit, licence or other document referred to in clause (i) who desires to receive a permit for the State or any part thereof under the provision of the Act and rules to make an application for the same (hereinafter referred to as a first application in the appropriate form in accordance with section 45 before such date as may be specified generally or in respect of any class or classes of vehicle or in respect of any class or classes of permit, licence or other document as aforesaid.

(2) Upon receipt of first application for any permit a State Transport Authority may decline to issue a permit:—

- (i) if the vehicle is in its opinion of an unsuitable type or the certificate of fitness if any has been suspended;
- (ii) unless it is satisfied that the terms of the permit applied for correspond to the actual use of the vehicle prior to the date of application under these rules.
- (iii) if it is satisfied that any permit, licence or other document issued under any law for the time being in force and previously held by the applicant has been cancelled as a result of any offence or breach of condition;
- (iv) if it appears to the State Transport Authority that in conjunction with any other permit applied for, the grant of a permit would afford the applicant an undue advantage over other providers of roads transport or confer on him the right to ply over an excessive number of roads or throughout an unreasonably large area.

(3) It shall be a condition of any notification under clause (1) of sub-rule 1 that any permit, licence or other document in force at the date of such notification shall cease to be of effect from the date of the grant or refusal of a new permit in lieu thereof; or if the holder fails to make application by the date specified in accordance with clause (ii) of that sub-rule, then from that date.

4.25 (1) No application for the renewal of a permit shall be entertained unless it is made in writing to the State Transport Authority the permit was issued not less than two months in the case of a stage carriage permit or a public carrier's permit and not less than one month in other cases,

before the expiry of the permit. Every application for renewal shall be accompanied by Part A of the permit, and shall state the period for which the renewed is desired.

(2) The prescribed fee for entertaining an application for renewal of a permit under sub-section (3) of section 58 shall be five rupees.

(3) The State Transport Authority renewing a permit shall call upon the holder to produce Part A or Part B thereof, as the case may be, and shall endorse Parts A and B accordingly and shall return them to the holder.

4.26 Renewal of countersignatures on permits.—

(1) Subject to the provisions of Rule 4.27 application for the renewal of countersignature on a permit shall be made in writing to the State Transport Authority concerned and within the appropriate periods prescribed in Rule 4.25 and shall, subject to provisions of sub-rule 2, be accompanied by Part A of the permit. The applicant shall set forth the period for which the renewal of the countersignature is required.

(2) If at the time of application for renewal of countersignature of a permit Part A of the permit is not available, being under renewal by the Authority by which it was issued, the application shall mention the fact and shall state the number and date of the permit, the name of the Authority by which it was granted, the date of its expiry and number and date of the countersignature to be renewed.

(3) The State Transport Authority granting the renewal of a countersignature shall call upon the holder to produce Part A of the permit, if it has not been produced, and Part B or parts B of the permit and shall endorse the Parts A and B accordingly and return them to the holder.

4.27 Power of Authority renewing a permit to renew any countersignature thereon.— (1) The Authority by which the permit is renewed may, unless any Authority by which the permit has been countersigned has by general or special order otherwise directed, likewise renew any countersignature on the permit (by endorsement of the permit in the manner set forth in the appropriate Form) and shall in such case intimate the fact of the renewal to the Authority which first gave the countersignature.

(2) Unless Parts A and B of a permit have been endorsed as provided in sub-rule (1) or the period of validity of the countersignature has been extended by the Authority which first gave it, the countersignature shall cease to have effect on expiry of the period for which it was originally operative.

4.28 Permit authorising the replacement of a vehicle.— (1) If the holder of a permit relating to a particular vehicle desires at any time to replace the vehicle with another, he shall forward Part A of the permit and apply in writing to the Transport Authority by which the permit was issued stating the reasons why the replacement is desired and shall:

- (i) if the new vehicle is not in his possession, forward the certificate of registration, or
- (ii) if the new vehicle is not in his possession, state any material particulars in respect of which the new vehicle will differ from the old.

(2) Upon receipt of an application under sub-rule (1) The State Transport Authority may in its discretion reject the application —

- (i) If it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or
- (ii) if the new vehicle proposed differs in material respects from the old, or
- (iii) if the holder of the permit has contravened the provisions thereof or has been deprived of possession of the old vehicle under the provisions of hire purchase agreement:

Provided that in considering applications for new permits within its area, the State Transport Authority shall, other things being equal, give preference to an applicant who has been deprived of the permit by the operation of clause (1) of this sub-rule.

(3) If the State Transport Authority grants an application for the replacement of a vehicle under this rule, it shall call upon the holder of the permit to produce Part B of the permit and the certificate of registration of the new vehicle, if not previously delivered to it and shall correct Parts A and B of the permit accordingly under its seal and signature and return them to the holder.

(4) No fee shall be chargeable for the replacement of the vehicle under this rule.

4.29 Permit for the replacement of a vehicle forming part of a service. — (1) If the holder of a permit relating to a service of stage carriage or contract carriages desires at any time to replace any vehicle covered by a vehicle of a different type or capacity, he shall forward Part A of the permit with an application in writing to the State Transport Authority by which the permit was issued, stating the reasons why the replacement is desired and shall intimate the relevant particulars of the vehicle to be replaced and of the new vehicle.

(2) Upon receipt of an application under sub-rule (1) the State Transport Authority may in its discretion reject the application —

- (i) if it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or
- (ii) if the new vehicle differs in material respect from the old; or
- (iii) if the holder of the permit has contravened any of its provisions.

(3) If the State Transport Authority grants an application for the replacement of the vehicle under this rule, it shall call upon the holder of the permit to produce the appropriate Part B of the permit and shall correct Parts A and B of the permit accordingly under its seal and signature and return them to the holder.

4.30 Procedure on cancellation, suspension or expiry of permit. — (1) The holder of a permit may at any time surrender it to the State Transport Authority by which it was granted and the State Transport Authority shall forthwith cancel any permit so surrendered.

(2) When the State Transport Authority suspends or cancels any permit —

- (i) The holder shall surrender Parts A and B of the permit within seven days of receipt of a demand in writing by the State Transport Authority.

(3) Within fifteen days of the expiry of any permit by the efflux of time, the holder shall deliver Parts A and B or Parts B to the State Transport Authority by which it was issued.

4.31 Transfer fee. — The fees for a transfer of a permit under sub-section 1 of section 59 and section 61 shall be five rupees.

4.32 Conduct of drivers of motor cabs. — (1) The driver of a motor cab used as a contract carriage —

- (i) shall in the absence of reasonable cause to the contrary, proceed to the destination made by the hirer by the shortest and quickest route;
- (ii) shall not terminate the hiring thereof before he has been discharged by the hirer;
- (iii) shall station his motor cab in the stand in the order in which he arrives, the motor cab which has been waiting longest being stationed in the front position and the other vehicle shall move as the vacancy occurs;
- (iv) shall not allow his motor cab, when it is not engaged to remain at any public place other than the stand approved for the purpose, nor shall he loiter for the purpose of his being hired in any public place.

(2) Nothing in this rule shall render it obligatory for a person wishing to hire a motor cab at a stand to take the first cab, or restrict his freedom to choose whichever vehicle prefers.

4.33 Issue of duplicate permits. — (1) When Part A and Part B of any permit has been lost or destroyed the holder shall forthwith intimate the fact to the State Transport Authority by which the permit was issued and shall deposit the prescribed fee for the issue of a duplicate, and in the case of the loss or destruction of Part B shall also forward Part A of the permit.

(2) The State Transport Authority shall upon receipt of an application in accordance with sub-rule (1), issue a duplicate permit or part or parts of a permit, as the case may be, and to the extent that it is able to verify the facts may endorse thereon certified copies of any countersignature by other authority, intimating the fact to that Authority.

(3) A duplicate permit or duplicate part of the permit issued under this rule shall be clearly stamped «Duplicate» in red ink and the certified copy of any countersignature by any other State Transport Authority on a permit or a part of a permit made under this rule shall be valid in the region of that other authority as if it were a countersignature.

(4) When a permit or part of a permit has become so dirty, torn or defaced as in the opinion of the State Transport Authority to be illegible, the holder thereof shall surrender the permit or part of the permit, as the case may be, to the State Transport Authority and apply for the issue of a duplicate permit or part of a permit in accordance with this rule.

(5) The fee for the issue of a duplicate permit or part of a permit shall be five rupees.

(6) Any permit or part of permit which is found by any person shall be delivered by that person to the nearest police station or to the holder or to the State Transport Authority by which it was issued and if the holder finds or receive any permit or part of a permit in respect of which a duplicate has been issued, he shall return the original to the State Transport Authority by which it was issued.

4.34 Variation of permits. — (1) Upon application made in writing by the holder of any permit, the State Transport Authority may at any time in its discretion vary the permit or any of the conditions thereof subject to the provision of the following sub-rule.

(2) Where a representation has been made by any person in connection with the grant of a stage carriage permit or a public carrier's permit under sub-section (1) of section 47 and section 55, the State Transport Authority shall not subsequent to the issue of a permit vary the permit or any condition thereof in a manner prejudicial to any person by whom such representation has been made unless the State Transport Authority has afforded such person a reasonable opportunity of making representation in respect of the proposed variation.

(3) Notwithstanding the provisions of sub-rule (2) the State Transport Authority may vary any stage carriage permit or public carriers' permit without affording any person an opportunity of making a representation if in the opinion of the State Transport Authority the representation made by such person in respect of the issue or renewal of the permit was frivolous or vexatious, or involves a question of principle which has already been decided by a ruling of the State Transport Authority which has not been modified upon appeal.

4.35 Production of permit. — (1) Part A of a permit shall be produced on demand made at any reasonable time by any member of the State Transport Authority or any police officer not below the rank of Inspector or officer of the Motor Vehicles Department not below the rank of Assistant Inspector of Motor Vehicles.

(2) Any police officer in uniform or Inspector or Assistant Inspector of Motor Vehicles may mount any transport vehicle for the purpose of inspecting part B of the permit.

4.36 Appeals against orders of a State Transport Authority. — (1) The authority to decide an appeal against the orders of the State Transport Authority or of other officer or authority to whom its powers are delegated under clause (a), (b), (c), (d), (e) and (f) of section 64 of the Act shall be the Secretary to the Government.

(2) A Person desiring to prefer an appeal against an order of the State Transport Authority in respect of any order of the kind referred to in sub-rule (1) shall within thirty days of the receipt of the order prefer a memorandum (in duplicate) to the appellate authority setting forth concisely the grounds of objection to the order of the State Transport Authority together with a certified copy of that order.

(3) Upon receipt of an appeal in accordance with sub-rule (1), the appellate authority shall appoint a

time and place for hearing of the appeal giving the appellant not less than thirty days' notice, and may order the applicant to deposit a fee not exceeding twenty rupees.

(4) Any person preferring an appeal under the provisions of Act and of this rule shall be entitled to obtain a copy of any document filed with the State Transport Authority in connection with any order against which he is appealing on payment of a fee at the rate of fifty paise per page of about two hundred words.

(5) An appeal shall not operate as a stay of the order appeal from nor shall the appellate authority make any ex parte order for stay pending the hearing of the appeal. The appellate authority shall not decide any appeal or pass any order thereon unless an opportunity of being heard has been given to the appellant, the respondent if any, and the State Transport Authority which passed the order appealed against.

4.37 (i) A person desirous of seeking relief under clause (h) of section 64, shall, within thirty days of the receipt of the order of the appellate authority, prefer a memorandum (in duplicate) to the Government of Goa, Daman and Diu (hereinafter referred to as the revising authority) setting forth concisely the grounds of objection to the order of the appellate authority together with a certified copy of that order.

(ii) Upon receipt of the memorandum the revising authority may appoint a time and place for the hearing thereof giving the person preferring the memorandum not less than thirty days notice.

(iii) the revising authority shall not decide the matter in the memorandum or pass any order in relation thereto unless an opportunity of being heard has been given to the person who preferred the memorandum, the State Transport Authority and any other person affected by the appellate order.

(iv) Any person preferring the memorandum shall be entitled to obtain a copy of any document filed with the Transport Authority or with the Appellate Authority in connection with his memorandum or of the order of the revising authority after paying a fee of rupees five.

4.38 Procedure in hearing appeals. — On the Appellate Authority appointing a time and place for a hearing under rule 4.37 the appellant shall, within fourteen days of the receipt of intimation that a hearing will take place, forward to the Appellate Authority a list of the documents upon which he proposes to rely, together with copies of such documents in duplicate, and may, upon the appointed date and subsequent hearing appear either in person or through an agent or representative authorised by him in writing in this behalf.

4.39 Refund of fee on appeals. — The Appellate Authority hearing an appeal under the provisions of rule 4.37 may, if the appellant succeeds in his appeal, order the refund to him of the whole or part of the fee deposited by him.

4.40 Hours of work. — The provisions of sub-section (1) of section 65 shall not apply in the case of —

(1) any transport vehicle used by or on behalf of any military or police authority in connection with military manoeuvres or exercise or in the quelling of any riot or civil disturbance;

- (2) any fire brigade vehicle or ambulance when being used as such;
- (3) any vehicle being used for the carriage of passengers or goods in an emergency arising out of fire, earthquake, flood, pestilence or other calamity, riot or civil disturbance;
- (4) any vehicle going for or returning with medical aid in an emergency or carrying any seriously injured or sick person for medical treatment, when no other means are available.
- (5) any vehicle proceeding to the nearest place of halt at which the driver and other occupants can reasonably obtain shelter and refreshment, after a delay in the journey arising out of the provision of section 87 or section 89 or out of the failure of any of the tyres or of the machinery, of the vehicle, which failure could not have been prevented by the exercise of reasonable care and diligence.

4.41 Definition of period of rest. — (1) Any time spent by the driver of a vehicle on work other than driving in connection with the vehicle or with the load carried or to be carried on the vehicle including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall not be deemed to be an interval of rest for the purpose of clause (a) in sub-section (1) of section 65.

(2) Any time spent by the driver of a vehicle on or near the vehicle when the vehicle is at rest and the driver is at liberty to leave the vehicle for rest and refreshment although required to remain within sight of the vehicle shall be deemed to be an interval of rest for the said purpose.

4.41-A. Persons employing any persons whose work is subject to any of the provisions of sub-section 1 of section 65, shall fix the hours of work of such persons so as to conform with those provisions and shall record the working hours in form prescribed below. This record will be open to inspection by any Police Officer or any officer of the Transport Department on demand.

Name of the employee			Month
Date	Working hours in a day	Hours of rest	Total number of working hours in a week
1	2	3	4

4.42 Conduct and duties of drivers of public service vehicles. — The driver of a public service vehicle: (i) shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the driver's seat in accordance with rule 5.35 or otherwise in such a way as to impede his vision of the road or proper control of the vehicle;

(ii) shall not shout in order to attract a passenger;

(iii) shall, subject to any rules or regulations in force prohibiting the taking up or setting down of passengers at, or except at certain specified places, bring the vehicle to rest for a sufficient period of time in a safe and convenient position upon the demand or signal of the conductor or of any passenger desiring to alight from the vehicle, and unless there

is no accommodation in the vehicle upon the demand or signal of any person desiring to become a passenger;

(iv) shall not, when bringing his vehicle to rest for the purpose of picking up or setting down any passenger at or near the place where another public service vehicle is at rest for the same purpose, drive the vehicle so as to endanger, inconvenience or interfere with the driver of the other vehicle or any person mounting or preparing to mount thereon or alighting therefrom, and shall bring his vehicle to rest in front of or behind the other vehicle and on the left hand side of the road or place; and

(v) shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it or any brake, tyre or lamp thereof is in a defective condition likely to endanger any passenger or other person or when there is not sufficient petrol in the tank of the vehicle to enable him to reach the next petrol filling station on the route.

4.43 Duties of drivers and conductors of public service vehicles. — The driver and the conductor of a public service vehicle:

(i) shall as far as may be reasonably possible having regard to his duties, be responsible for the due observance of the provisions of the Act and of these rules and of any conditions of the permit relating to the vehicles;

(ii) shall not smoke in or on a vehicle during a journey or when it has passengers on board;

(iii) shall behave in a civil and orderly manner to passengers and intending passengers;

(iv) shall be cleanly dressed in such manner as the State Transport Authority may specify;

(v) shall maintain the vehicle in a clean and sanitary condition;

(vi) shall not interfere with persons mounting or preparing to mount upon any other vehicle;

(vii) shall not allow any person to be carried in any public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of the permit to be carried standing in the vehicle;

(viii) shall not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey;

(ix) shall not, save for good and sufficient reason, refuse to carry any person tendering the legal fare;

(x) shall, where goods are carried on the vehicle in addition to passengers, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods;

(xi) shall not, save for good and sufficient reason require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;

(xii) shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time-table pertaining to the vehicle, or where there is no such time-table with all reasonable despatch;

(xiii) shall, in the event of a stage carriage being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or the conductor, arrange to convey the passengers to their destination in some other simi-

lar vehicle, or, if unable so to arrange within a period of one hour after the failure of the vehicle shall on demand refund to each passenger a proper proportion of the fare relating to the completion of the journey for which the passenger had paid the fare; and

(xiv) shall not, in the case of a stage carriage, cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers.

(xv) shall, when using a stand, pay the fees fixed under sub-rule (5) of rule 7.12 and comply with any relevant condition subject to which the place is authorised as a stand; and

(xvi) shall take due care for the safe carriage of luggage belonging to the passengers;

(xvii) shall take reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;

(xviii) shall not, when the vehicle is in motion, distract his attention without reasonable cause or speak to any person unless it is absolutely necessary so to do;

(xix) shall take all reasonable precaution to ensure that all means provided for indicating the route fares and destination of the vehicle are clearly and correctly displayed in or on the vehicle;

(xx) shall follow the signalling devices provided for starting and stopping the vehicle and in no circumstances must the vehicle be started by shouting to the drivers stamping feet, tapping on the partition or by other unauthorised methods of signalling;

(xxi) shall collect the fares from and issue tickets to passengers immediately after they have entered the bus;

(xxii) shall not argue with passengers and must give his name, number, etc., when asked to do so; and

(xxiii) shall not come on duty under the influence of any intoxicant.

4.44 Lost property.—(1) In the case of public service vehicles owned by private operators the conductor or if there is no conductor, the driver shall at the conclusion of a journey, make search in the vehicle for anything left by any passenger and shall take into his custody any thing so found and upon the first opportunity shall make over the same to a responsible person at any office of the permit holder or to an officer of a police station and shall likewise take into custody and dispose of anything so found by any other person. The responsible person at any office or station of the holder of the permit of the vehicle receiving the unclaimed goods shall keep them safe and if the goods are not claimed by the owner or any other person appearing to him to be entitled thereto, shall if such owner or person is known cause a notice to be served upon him requiring him to remove the goods. If such owner or person is not known or a notice cannot be served upon him or he does not comply with the requisition in the notice, such property shall be deposited with the nearest police station as unclaimed property after three months of taking over charge thereof. If the goods are of perishable nature and are not claimed within forty eight hours they shall be disposed of by the responsible person at the station of the holder of the permit by public auction and the receipts thereof shall be handed over to the owner if claimed within a week after which they shall be deposited with the nearest police station.

(2) In the case of Government owned vehicle the conductor, or if there is no conductor the driver shall

deposit the goods with Transport Administration and if the goods are not claimed by the owner or any other person appearing to the transport Administration to be entitled thereto, the Transport Administration, if such owner or person is known, cause a notice to be served upon him; requiring him to remove the goods. If such owner or person is not known, or a notice cannot be served upon him or he does not comply with the requisition in the notice, the local manager employed by the Transport Administration may after three months of taking over charge of the goods sell it by public auction and proceed thereof shall be credited in to the Government treasury. If the goods are of perishable nature and are not claimed within forty eight hours, they shall be disposed of by the local manager by public auction and the receipt thereof credited into the Government treasury.

(3) If the goods are claimed within the period specified, a charge of six paise per 37 kilograms or a part thereof for twenty four hours or fraction thereof subject to a minimum charge of twelve paise shall be levied. The unclaimed articles shall also be liable to these charges on account of their custody and disposal.

(4) Where articles such as arms, amunitions, explosives, intoxicating liquors, opium and its preparations hemp and drugs the sale of which is prohibited by law, are left unclaimed, they shall be made over to the police or excise authorities for disposal under the laws affecting the articles.

(5) Proper accounts shall be maintained in a separate register which shall be opened for inspection to the Transport Authority.

4.45 Conduct of passengers in a stage carriage.— If at any time a passenger in a stage carriage—

- (i) behaves in a disorderly manner, or
- (ii) behaves in a manner likely to cause annoyance to any female passenger, or
- (iii) uses abusive language, or
- (iv) molests any other passenger, or
- (v) smokes, when smoking is prohibited, or when the vehicle is re-fueled, or
- (vi) spits, or
- (vii) obstruct the conductor or the driver or any authorised employee of the service in the execution of his duties or interferes without due cause with the driving of the vehicle, or
- (viii) intentionally avoids payment of the fare or
- (ix) interferes without due causes with the conductor or driving of the vehicle; or
- (x) refuses to show any ticket on demand by any authorised person;
- (xi) uses or attempts to use any ticket which has been altered or defaced or (in the case of a ticket bearing an indication that it is not transferable) issued to another person; or
- (xii) is reasonably suspected to be suffering from any contagious or infectious disease, or
- (xiii) commits or abets any offence under the Act or these Rules, or
- (xiv) uses or attempts a ticket other than the ticket valid for a particular journey, or
- (xv) carries with him in the vehicle luggage of a description which is likely to obstruct, annoy or inconvenience or be offensive to any other passenger, or
- (xvi) occupies accommodation for more than one seat or without lawful excuse, occupies any seat exclusively reserved for ladies, or

(xvii) refuses to pay a fresh fare for the journey performed by him if he has so altered or defaced his ticket he has to render his contents illegible, or

(xviii) is found travelling without ticket pertaining to the journey being performed by the vehicle at the time of his being so found, he shall be liable to pay double the ordinary fare and if refuses to do so, or

(xix) refuses to leave the vehicle if so requested by the conductor or driver at the completion of the journey for which he has paid the fare, or

(xx) knowingly enters and insists on travelling in a vehicle which is carrying the maximum number of passengers of prescribed for the vehicle, or

(xxi) hangs on to any exterior part of a vehicle, or

(xxii) wilfully damages, soils, removes or interferes with any fittings equipment in or on the vehicle, or

(xxiii) enters or alights from a vehicle by the entrance or exit provided for the purpose, or

(xxiv) attempts to enter a vehicle without first permitting passengers who have completed their journey or alight, or

(xxv) enters or leaves a vehicle except in a queue and in an orderly manner, or

(xxvi) distributes printed or similar matter of any description or distributes any articles for the purpose of advertisement, or

(xxvii) to the annoyance of other passengers uses or operates any noisy instrument or makes or combines with any person or persons to make any excessive noise or otherwise, or

(xxviii) begs, or offers for sale any article in or on the vehicle,

the driver or the conductor or any authorised person of the service may require such passenger to alight from the vehicle and may stop the vehicle and keep it standing until the passenger has alighted, or on the request of the driver or conductor may be removed from the vehicle by any Police Officer or any Gazetted Officer of Government Transport Service. Such passenger shall not refuse to give his correct name and address on demand for contravention of these rules, and shall not be entitled to the refund of any fares which he may have paid, and shall also be guilty of an offence.

4.46 Carriage of children and infants in a public service vehicle.— In relation of the number of persons permitted to be carried in a public service vehicle—

(i) child of not more than twelve years of age shall be reckoned as a half, and

(ii) a child of not more than three years shall not be reckoned.

4.47 Licensing of conductors.— (1) No person shall work as a conductor of a stage carriage, and no employer shall so employ any person on any route or in any area specified by the State Transport Authority, unless such person holds a conductor's licence in form L. Con. granted by a Licensing Authority in the State.

(2) A conductor's licence shall not be granted by a Licensing Authority until the applicant produces a medical certificate in Form F. A. B. to show that he is qualified to render first aid. If any person duly authorised, before 1st January, 1965 as a conductor of Public Service Vehicle fails, within a period of 12 months from the said date, to produce the required

Medical Certificate, he shall be liable to be disqualified from obtaining conductor's licence.

(3) A conductor's licence shall be valid for a period of not less than one year and not more than three years from the date of issue or renewal and shall be effective throughout the State.

(4) A conductor's licence issued by any other competent authority in India shall not be effective in the State unless countersigned under the authority of a Licensing Authority.

(5) Applications for the grant of countersignature of a conductor's licence shall be made in writing to the Licensing Authority of the district where the applicant resides or normally works in Form L. Con. A, and in the case of an application for the grant of a licence shall be accompanied by two copies of a recent photograph of the applicant and by the fee, prescribed in rule (8).

(6) In the case of an application for the grant of licence, if the Licensing Authority has reason to suppose that the applicant is physically unfit to perform the duties of a conductor, the authority may call upon him to produce a medical certificate of fitness in Form M. C. Con. signed by a registered medical practitioner, and in such case the applicant shall furnish a third copy of a photograph prescribed in sub-rule (5) which shall be firmly affixed to the medical certificate of fitness and shall be signed or sealed by the registered medical practitioner.

(7) No person under the age of eighteen years shall hold a conductor's licence.

(8) The fee for a conductor's licence and for the renewal of a conductor's licence shall be one rupee for a period of one year for which the licence is granted or renewed.

(9) Any Licensing Authority, on application made to it accompanied by the prescribed fee, renew a conductor's licence.

Provided that when the authority renewing the licence is not the original authority it shall intimate the fact to such renewal to the authority which issued the licence.

(10) If at any time a conductor's licence is lost or destroyed or becomes illegible or the photograph attached thereto ceases in the opinion of the authority by which the licence was granted to be a reasonable likeness of the holder, that authority shall proceed as if the conductor's licence were a driving licence:

Provided that the fee for the issue of a duplicate conductor's licence shall be one rupee.

(11) A Licensing Authority may decline to issue a conductor's licence or to countersign a conductor's licence if he is satisfied—

- (i) that the applicant's knowledge of the provisions of the Act and of these rules and of the duties and powers of a conductor thereunder is inadequate to enable him to perform the duties of a conductor, or
- (ii) that the applicant was at any time was the holder of conductor's or a driving licence which has been cancelled for misconduct; or
- (iii) that the character or physique of the applicant is such as to render him an unsuitable person to hold a conductor's licence;

and may likewise decline to renew a conductor's licence.

(12) A Licensing Authority may for reasons to be recorded in writing suspend or cancel a conductor's licence issued by itself or any other Licensing Authority, or any countersignature granted according to sub-rule (4) of this rule. Where a Licensing Authority suspends or cancels a licence or countersignature granted by another Authority, it shall communicate the particulars to that Authority.

(13) Any court by which a conductor is convicted of any offence in connection with his duty as a conductor may cancel the conductor's licence.

(14) A conductor of a stage carriage shall on demand by any police officer in uniform produces his conductor licence for inspection; provided that if at the time of his licence is demanded he is displaying the badge prescribed in rule 4.49 it shall be sufficient compliance with sub-rule if he produces the licence within forty eight hours at any police station in India except Jammu and Kashmir which he specifies to the police officer making the demand.

(15) No person shall hold more than one conductor's licence effective in the same region.

(16) The Licensing Authority may by notification in the Official Gazette declare that such of these rules as are applicable to drivers or to driver's licences as may be specified in the said notification shall apply to conductors or to conductor's licences as the case may be.

(17) In all matters relating to the grant countersignature, suspension and cancellation of conductor's licences, the Licensing Authority shall act under the control of the State Transport Authority.

4.47-A Appellate Authority.—The authority to whom an appeal may be made:—

- (a) Under sub-section (2) of section 21-E and sub-section (4) of section 21-F against the order of the Licensing Authority shall be the Secretary to the Government.
- (b) Under sub-section (4) of section 31-F of the Act against the order of the State Transport Authority shall be Government.

4.47-B Conduct and hearing of appeals.—(1) An appeal under rule 4.47-A shall be preferred in duplicate and in the form of a memorandum one copy of which shall bear a court fee of one rupee, setting forth concisely the grounds of objection to the order of the Licensing Authority or the State Transport Authority as the case may be, and shall be accompanied by a certified copy of that order.

(2) When an appeal is preferred, the Appellate Authority shall issue a notice to the authority against whose order the appeal is preferred.

(3) The Appellate Authority, after giving an opportunity to the parties to be heard, and after such further inquiry, if any, as it may deem necessary, may confirm, vary, or set aside the order from which the appeal is preferred and shall make an order accordingly.

(4) The persons preferring appeal shall be entitled to obtain a copy of any document filed with the Licensing Authority or the State Transport Authority, as the case may be, in connection with any order appealed against on payment of a fee at the rate of fifty paise per page of about 200 words.

4.48 Driver's badge.—(1) The driver of a Stage carriage or a contract carriage shall display on his left breast a metal badge in the form illustrated in the second Schedule to these rules issued to him by and inscribed with the name of the authority by which an authorisation to drive a state carriage or a contract carriage has been granted and the word «DRIVER» together with an identification number.

(2) A driver of a stage carriage or a contract carriage shall not hold more than one such badge issued by an authority in the State.

(3) The fee for the issue of a badge as aforesaid shall be three rupees. If the badge is lost or destroyed a duplicate badge shall be issued by the authority by which it was issued on payment of three rupees.

(4) If at any time the authorisation on a driver's licence entitling him to drive a Stage Carriage or a contract carriage is suspended or revoked by any authority or by any court of ceases to be valid by the efflux of time the driver shall within seven days surrender the badge to the authority by which it was issued.

4.49 Conductor's badge.—(1) The conductor of a Stage carriage shall display on his left breast a metal badge in the form illustrated in the Third Schedule to these rules issued by and inscribed with the name of the authority by which the conductor's licence is granted and the word «Conductor» together with an identification number.

(2) A conductor shall not hold more than one such badge issued by an authority in the State.

(3) The fee for the issue of a conductor's badge as aforesaid shall be three rupees. If the badge is lost or destroyed a duplicate badge shall be issued, by the authority which issued it, on payment of three rupees.

(4) If at any time a conductor's licence is suspended or cancelled by competent authority or by any court or ceases to be valid by the efflux of time, the conductor shall within seven days surrender the badge to the authority by which it was issued.

4.50 Badge not to be transferred.—(1) No driver and no conductor shall lend or transfer the badge prescribed in these rules to any other person, and no driver or conductor shall wear a badge other than one issued to him by the authority referred to in sub-rule (1) of rule 4.48 or sub-rule (1) of rule 4.49.

(2) Any person finding a driver's or a conductor's badge shall, unless he returns the same to the holder forthwith surrender it to the authority by which it was issued or to a police officer.

4.51 Prohibition on use of force to collect passengers.—No driver or conductor of a public service vehicle or agent for the sale of tickets shall touch, annoy or use force to any person with the object of inducing that person or any other to travel in any public service vehicle, or shout loudly or use any horn, bell, gong, whistle, gramophone, loud speaker, musical instrument or other device for creating a loud noise with the object of attracting passengers.

4.52 Sale of tickets.—In any area to which this rule may be applied by the State Government, no driver or conductor of a public service vehicle or

agent for the sale of tickets in a public service vehicle shall sell or attempt to sell tickets or solicit custom in any place which has been notified by the Licensing Authority by public proclamation or in such other manner as he may find convenient, as a place in which such sale or soliciting is not permitted.

4.53 Licensing of ticket agents in certain areas.—

(1) In any district or other area to which this rule may be applied by the State Government, no person shall act as an agent for the sale of tickets for travel by a public service vehicle, otherwise than in the vehicle itself or in a fixed office, unless he has obtained from the Licensing Authority a licence permitting him to do so.

(2) For the purpose of the preceding sub-rule any person soliciting or attempting to persuade another person to travel in a vehicle shall be deemed to be acting as an agent for the sale of tickets for travel hereby.

4.54 Issue of ticket agents licence. — (1) Licences under the preceding rule shall consist of a permit in the Form T A P.

(2) No licence shall be issued to any agent except on the application of the person or company, being the holder of a permit for one or more public service vehicles, for whom the agent is to act. The person or company making the application (hereinafter called the «principal») shall be required to complete and authenticate the first part of the permit in form TAP, the other entries being completed by or under the orders of the Licensing Authority.

4.55 Cancellation of ticket agent's licence. — The Licensing Authority shall forthwith cancel any licence issued under rule 4.53 upon request made to him by the principal on whose application it was granted.

(2) A principal proposing to apply for the cancellation of the licence issued to an agent on his application may call on the agent to surrender the permit and badge, and the agent shall be bound forthwith to surrender the same to the principal.

(3) Where a principal requires any agent to surrender his badge and permit under the preceding sub-rule he shall forward the same, with his application for the cancellation of the licence, to the Licensing Authority with the least possible delay and in any case within forty-eight hours.

4.56 Term of ticket agent's licence. — Unless a shorter term is appointed, an agent's licence shall be valid for one year from the date of issue or renewal, but may be cancelled at any time by the Licensing Authority if it appears to him that the conduct of the agent in his relations with the public has been unsatisfactory or that the agent is not a suitable person to continue as such.

4.57 Production of licence on demand. — (1) An agent licensed under rule 4.53 shall carry his licence on his person at all times when he is engaged in his duties.

(2) The agent shall be bound to exhibit his permit on the demand of any person whose custom he has sought to secure or of any police officer in uniform of or above the rank of head constable.

4.58 Appeals. — All orders made by the Licensing Authority under Rules 4.54, 4.55 and 4.56 shall be appealable to the Secretary to Government, whose decision shall be final.

4.58-A Conduct of agents engaged for the sale of tickets for travel by public vehicle service. — The agent engaged for the sale of tickets for travel by public service vehicles: —

(i) shall behave in a civil and orderly manner with passengers or intending passengers;

(ii) shall not behave in a manner likely to cause annoyance or embarrassment to any female passengers;

(iii) shall not use abusive language towards any passenger or molest him;

(iv) shall not save for good and sufficient reasons refuse to issue a ticket to any intending passenger tendering the legal fare;

(v) shall not make any distinction between passengers;

(vi) shall not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare, for any journey;

(vii) shall properly guide the passengers to enable them to board the vehicle for which tickets have been issued to them;

(viii) shall not altercate with passengers and shall give them his name and licence number if asked to do so;

(ix) shall not be under the influence of any intoxicant while on duty;

(x) shall be dressed in such a manner as the State Transport Authority may specify and shall observe cleanliness.

4.59 Prohibition on the carriage in public service vehicles of persons suffering from infectious or contagious disease. — (1) No driver and no conductor of a public service vehicle shall cause or allow to enter into or to be placed or carried in the vehicle any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease.

(2) Notwithstanding the provisions of subrule (1) the driver and the conductor may upon application in writing by a registered medical practitioner allow a person suffering from an infectious or contagious disease to be carried in a public service vehicle; provided that no other person save a person or persons in attendance on the sick person shall be carried in the vehicle at the same time.

(3) When a person suffering from an infectious or contagious disease or the corpse of any person has been carried in a public service vehicle, the driver and the conductor of the vehicle shall be responsible that the fact is reported to a Medical Officer of Health and to the owner of the vehicle, and neither the owner nor the driver nor the conductor shall cause or allow any person to use the vehicle until the driver and the conductor and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.

4.59-A All public service vehicles shall be disinfected with D. D. T. (or Grammexane formulations)

after every two months and the owner shall furnish to the State Transport Authority a certificate to that effect, duly signed by the District Medical Officer of Health or any other officer authorised by him in that behalf. The period of two months shall count from the date of the last certificate furnished as aforesaid.

Provided that if adequate arrangements for the disinfection of buses are made by any Transport Service at its own premises to the satisfaction of the District Medical Officer of Health a certificate of disinfection by the Manager of the said service shall be sufficient.

4.60 Carriage of persons in goods vehicle.— (1) Save in the case of a vehicle which is being used for the carriage of troops of police or in the case of a stage carriage in which the goods are being carried in addition to passengers no person shall be carried in a goods vehicle other than a bonafide employee of the owner of the hirer of the vehicle and except in accordance with this rule.

The owner of goods vehicle may also travel in it for a purpose connected with the bonafide business of the vehicle.

(2) No person shall be carried in the cab of a goods vehicle beyond the number for which there is seating accommodation at the rate of 380 millimetres (measured along the seat excluding the space reserved for the driver) for each person, and not more than six persons in all in addition to the driver shall be carried in any goods vehicle.

Provided that in the case of goods vehicle owned by Government, carriage of more than six persons may be allowed by the State Transport Authority. Provided that such number shall not exceed the area in square feet of the floor of the vehicle divided by seven.

(3) No person shall be carried upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle, and in no case shall any person be carried in a goods vehicle in such a manner that any part of his person when he is in a sitting position, is at a height exceeding 3.048 metres from the surface upon which the vehicle rests.

(4) Notwithstanding the provisions of subrule (2) the State Transport Authority may, as a condition of a permit granted for any goods vehicle, specify the conditions subject to which a larger number of persons may be carried in the vehicle, provided that such number shall not exceed the area in square metre of the floor of the vehicle divided by 63.

(5) Nothing contained in this rule shall be deemed to authorise the carriage of any person for hire or reward in any vehicle unless there is in force in respect of the vehicle a permit authorising the use of the vehicle for such purpose and save in accordance with the provisions of such permit.

(6) The provisions of this rule shall not apply to motor vehicles registered under section (39).

4.60-A Carriage of animals in goods vehicle.— (1) No cattle shall be carried in a goods vehicle in a public place unless:—

- (i) the load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of 1.05 metres measured from the floor of the vehicle on all sides and the back; and

- (ii) the cattle are properly secured by ropes tied to the side of the vehicle.

(2) When carrying cattle in a goods vehicle, the owner of the vehicle shall:

- (i) in the case of goats, sheep, pigs, deer, rams, ewes, kids and the like, not carry more than 40 at a time when the wheel base of such vehicle is below 3.6 metres and more than 50 when the wheel base of such vehicle is 3.6 metres or above.
- (ii) in the case of any other cattle, not carry more than 4 with calves/young ones or 5 without calves/young ones when the wheel base is below 3.6 metres and not carry more than 5 with calves/young ones or 6 without calves young ones when the wheel base of such vehicles is 3.6 metres or above.

Explanation.—For the purpose of sub-rule (2) the expression «cattle» includes buffalo, bull, ox, cow, horse, pony mule, ass, gelding, colt, filly and calves.

(3) No animal belonging to or intended for a circus manager or zoo shall be carried in goods vehicle in public place unless.

- (i) in the case of wild ferocious animal, a suitable cage, either separate from or integral with the load body of the vehicle used, of sufficient strength to contain the animal securely at all times is provided; and
- (ii) reasonable floor space for each animal is provided in the vehicle.

(4) No cattle under sub-rule (1) or animal sub-rule (2) shall be carried for more than 320 kilometres at a stretch.

(5) No goods vehicles when carrying any cattle under sub-rule (1) or any animal under sub-rule (3) shall be driven at a speed in excess of 25 kilometres per hour.

4.61 Log-books and complaint books to be maintained by the drivers of certain transport vehicles.— (1) The driver of every contract carriage other than a motor cab, and of every goods vehicle for which a public carrier's permit has been granted, shall maintain a log-book and shall enter particulars of every hiring therein.

(2) The particulars to be entered in the log-book shall be in the case of a contract carriage—

- (a) the name of the hirer, with sufficient particulars to enable him to be identified,
- (b) the approximate number of persons included in the party,
- (c) the starting point and finishing point of the trip and the route to be followed,
- (d) the date and time from which the hiring has effect,
- (e) the date and time when the journey is expected to be completed, and
- (f) the nature and weight of any goods carried; and in the case of a goods vehicle,—
- (g) Serial No.
- (h) Name of drivers.
- (i) Hours of duty.

From To

- (j) Description and weight of goods.
- (k) Place and time with date of despatch.

- (l) Destination with probable time of arrival.
- (m) Distance.
- (n) Amount of freight charged.
- (o) Name and address of the consignor.
- (p) Name and address of the consignee.
- (q) Signature and designation of Inspecting Officer.
- (r) Remarks.

Provided that in the case of a vehicle carrying miscellaneous goods belonging to a number of owners of the record of each consignment shall be kept in the standard way bill form in the following form:

Name of the Co.		Vehicle No.	
Driver's name.			
Consignor	Consignee	To From	Nature of goods and weight
			Distance Freight Remarks
Rs. Ps.			

(3) The particulars required by the preceding sub-rule shall be entered in the log-book before the passengers or goods are taken into the vehicle and before the journey is begun.

(4) The provision of this rule shall apply also to any stage carriage authorised for use as a contract vehicle or for the carriage of goods, in so far as the vehicle is used for either of those purposes.

(5) Log books required to be maintained under this rule shall be signed and stamped by the Secretary of the State Transport Authority, and be produced by the driver at any time when the vehicle is on the road or at any time on the demand of any Police Officer not below the rank of Head Constable or such other Officer as may be authorised by the State Government in this behalf.

(6) A complaint book shall be kept on every stage carriage and shall be maintained in a clean and tidy condition by the conductor and shall be produced by him on the demand of any passenger, who shall be at liberty to make an entry therein.

4.61-A Log book to be maintained by the driver of the vehicle for which a private carrier permit has been granted. — (1) The driver of every motor vehicle for which a private carrier permit has been granted shall maintain a log book and shall enter therein the following particulars before the commencement of every journey: —

- (a) Serial no.
- (b) Description and weight of goods.
- (c) Place, time and date of despatch.
- (d) Destination.
- (e) Time of arrival at the destination.
- (f) Distance.
- (g) Name and address of the consignor.
- (h) Signature and designation of Inspecting Officer.
- (i) Remarks.

(2) Log books required to be maintained under sub-rule (1) shall be produced by the driver at any time when the vehicle is on the road or at any time on demand by police officer not below the rank of

Head Constable or such other officer as may be authorised by the State Government in this behalf.

4.62 Other records to be maintained. — (1) The State Transport Authority may, by general or special order require the holder of a permit in respect of any transport vehicle to maintain records and submit returns in respect of the vehicle in such form as the Authority may specify and such records and returns may include particulars of the daily use of the vehicle in respect of —

- (i) the name and licence number of the driver and the conductor and other attendant, if any,
- (ii) the route upon which or the area within which the vehicle was used;
- (iii) the number of kilometres travelled;
- (iv) the times of commencement and termination of a journey and of any halts of a journey when the driver obtained rest;
- (v) the weight of goods carried between specified places and the nature of goods.
- (vi) in the case of goods carried in a stage carriage the number of trips and the kilometres when goods were carried solely and when goods were carried in addition to passengers, and in the latter case the number of the seats available for passengers.

(2) No owner or any other person shall cause or allow any person to drive a transport vehicle unless the owner or other person has in his possession a record in writing of the name and address of the driver as set forth in his driving licence, the number of the licence and the name of the authority by which it was issued.

4.63 Change of address of permit holder. — (1) If the holder of a permit ceases to reside or to have his place of business, as the case may be, at the address set forth in the permit, he shall within fourteen days send Part A of the permit to the Transport Authority by which the permit was issued intimating the new address.

(2) Upon receipt of intimation under sub-rule (1) the State Transport Authority shall after making such inquiries as it deems fit, enter in the permit the new address and shall intimate the particulars to the authority of any state in which the permit is valid by virtue of countersignature or otherwise.

4.64 Intimation of damage to or failure of a public service vehicle. — (1) The holder of any stage carriage or contract carriage permit shall within seven days of the occurrence report in writing to the Transport Authority by which the permit was issued any failure of or damage to such vehicle or to any part thereof, if the failure or damage is of such a nature as to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three days.

(2) The holder of any permit in respect of a service of stage carriages shall within seven days of the occurrence report in writing to the Transport Authority by which the permit was issued, any failure of or damage to such vehicle used by him under the authority of the permit of such a nature as to prevent the holder from complying with any of the provisions or conditions of the permit for a period exceeding three days.

(3) Upon receipt of a report under the preceding sub-rules, the Transport Authority by which the permit was issued may, subject to the provisions of rule 4.29 and 4.30 —

- (i) direct the holder of the permit within such period, not exceeding two months from the date of the occurrence, as the authority may specify either to make good the damage to or failure of the vehicle or to provide a substitute vehicle, or
- (ii) If the damage to or failure of the vehicle is such that in the opinion of the said authority it cannot be made good within a period of two months from the date of the occurrence, direct the holder of the permit to provide a substitute vehicle.

and when the holder of the permit fails to comply with such a direction, may suspend, cancel or vary the permit accordingly.

(4) This rule shall not have effect in any State until the Government by general order so directs.

4.65 Alteration to motor vehicle. — (1) The owner of a transport vehicle, or if the owner is not the holder of the permit, shall, at the time when the report required by section 32 is made to the Registering Authority, forward a copy thereof to the Transport Authority by which the permit relating to the vehicle was granted, or in the case of a permit relating to a service of stage carriages, to the Transport Authority by which the permit was granted under which the vehicle is being used.

Provided that the engine in a transport vehicle shall not be changed except with the previous approval of the Registering Authority.

(2) Upon receipt of a report under sub-rule (1) the Transport Authority by which the permit was issued may if the alteration is such as to contravene any of the provision of the conditions of the permit.

- (i) vary the permit accordingly, or
- (ii) require the permit holder to provide a substitute vehicle within such period as the authority may specify, and if the holder fails to comply with such requirement cancel or suspend the permit.

4.66 Provisions as to trailer. — (1) No trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle.

(2) Save in the case of a trailer being used for the carriage of troops of police or in the case of a trailer used for agricultural purposes or for carriage of construction material and carrying not more than six persons including the attendant no person other than the attendant or attendants required by rules 6.21 shall be carried on a trailer.

(3) Subject to the provision of sub-rule (4) all the provisions of these rules relating to the private carrier's permit or to a public carrier's permit shall apply to any trailer used for the purposes of a private carrier or a public carrier, as the case may be.

(4) The State Transport Authority granting or countersigning a private carrier's permit or a public carrier's permit may require, as a condition of the permit or of the countersignature as the case may be, that no trailer or that not more than one trailer

or that no trailer of a specified description shall be attached to any transport vehicle covered by the permit.

4.67 Inspection of transport vehicle and their contents. — (1) Any police officer in uniform not below the rank of sub-Inspector or Inspector of Motor Vehicles or Assistant Inspector of Motor Vehicles may at any time when the vehicle is in a public place call upon a driver of a goods vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to make reasonable examination of the contents of the vehicle.

(2) Notwithstanding the provisions of sub-rule (1), the Police Officer or Inspector, or Assistant Inspector of Motor Vehicles shall not be entitled to examine the contents of any goods vehicle unless —

- (i) the permit in respect of the vehicle contains provision or condition in respect of the goods which may or which may not be carried on the vehicle.
- (ii) the Police Officer or the Inspector or Assistant Inspector of Motor Vehicles has reason to suppose that the vehicle is being used in contravention of the provisions of the Act or these rules.

(3) Any Police Officer in uniform not below the rank of head constable or any officer of the Motor Vehicles Department not below the rank of Assistant Inspector may at any time when the vehicle is in a public place call upon the driver of a public service vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the police officer to make reasonable examination of the number of passengers and other contents of the vehicle so as to satisfy himself that the provisions of the Act and the rules and the provisions and conditions of the permit in respect of the vehicle are being complied with.

(4) Any Officer of Police or of the Motor Vehicles Department shall be entitled at any reasonable time to inspect any public service vehicle in a public place.

4.68 Taximeter. — (1) Where the State Transport Authority requires that a motor cab shall be fitted with a taximeter, the taximeter shall be of a pattern approved by such Authority, and shall be fitted in conformity with any instructions that may be issued in this regard.

(2) A permit-holder required to fit a taximeter shall produce the taximeter fitted to the vehicle before the Inspector of Motor Vehicles referred to in rule 3.11 so that it may be tested and sealed, and shall produce the taximeter for examination subsequently whenever the vehicle to which it is attached is inspected or whenever for any reason it has become necessary to break the seal.

(3) No person shall drive or cause or permit to be driven any vehicle in respect of which an order has been made under clause (d) in section 51 if the taximeter is not attached to the vehicle and sealed or if he knows or has reason to believe that it is not accurate or in proper working order.

4A.1. The State Transport Authority may, by general or special resolution recorded in its proceedings

and subject to such conditions, as may be specified in the resolution, delegate —

- (a) the power of granting temporary permits under section 62 to the Secretary-member.
- (b) the power of granting countersignatures of permits under section 63 for the portions of the joint routes lying in this State to the Secretary-member;
- (c) the power of granting replacement of vehicles covered by permits under sub-section (2) of section 59 to the Secretary-member;
- (d) the power of permitting the transfer of permits under sub-section (1) of section 59 from one person to another to the Secretary-member provided that this power is exercised by him only in such cases in which after full enquiry he is satisfied that the contents of the joint application made under rule 4.33 of the said rules are completed and correct and that no premium, payment or consideration is to pass or has passed between the parties;
- (e) the power of issuing a duplicate permit or part or parts of a permit as the case may be under rule 4.34 to the Secretary-member.

4A.2 Delegation of powers to the Director of Transport. — (1) The State Transport Authority may by general or special resolution recorded in its proceedings and subject to the restriction, limitations and conditions herein specified delegate —

- (a) to the Director of Transport all or any of its following powers, namely: —
 - (i) power under section 16 to disqualify a person for holding or obtaining a licence to drive a transport vehicle;
 - (ii) power under section 42 and 51 to refuse a contract carriage permit; in cases where no representations are received, to grant with or without modifications such an application, and attach conditions to the permit;
 - (iii) power under section 42 and 53 to grant with or without modification or refuse a private carrier's permit, and power to impose conditions under sub-section (2) of section 56 or vary the conditions thereof;
 - (iv) power under section 42 and 56 to grant with or without modification or refuse a public carrier's permit and power to impose conditions under sub-section (2) of section 56 or vary the conditions thereof;
 - (v) power to a stage carriage permit conditions under sub-section (3) of section 48 or to vary the conditions thereof;
 - (vi) power to renew private carrier's permits, public carrier's permits and contract carriage permits under section 58 and to renew countersignature of any such permit;
 - (vii) power under sub-section (2) of section 59 to permit the replacement of one vehicle by another;
 - (viii) power under section 60 to suspend a permit, or to recover from the holder thereof the sum of money agreed upon in accordance with sub-section (3) of the said section;

- (ix) power under section 62 and under sub-section (4) of section 63 to grant temporary permit;
- (x) power under section 63 to countersign a permit or attach or vary the conditions thereof;

Provided that the Director of Transport shall —

- (i) keep informed the State Transport Authority from time to time the action taken by him in pursuance of the power delegated; and
- (ii) arrange to paste a notice board on the premises of the office of the State Transport Authority a copy of every resolution of that Transport Authority delegating its power to him.

(2) Notwithstanding anything contained in this rule, the State Transport Authority may from time to time, issue instructions to the Director of Transport as to the manner, in which he shall exercise the powers delegated to him.

CHAPTER V

Construction, Equipment and Maintenance of Motor Vehicles

5.1 General. — No person shall use and no person shall cause or allow to be used in any public place any motor vehicle which does not comply with the rules contained in this chapter or with any order hereunder made by competent Authority.

(2) Nothing in this rule shall apply to a motor vehicle which has been damaged in an accident while at the place of the accident or to a vehicle so damaged or otherwise defective while being removed to the nearest reasonable place of repair or disposal.

5.2 Lamps. — (1) Save as hereinafter provided every motor vehicle while in a public place during the period between half an hour after sunset and half an hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the road at a distance of 160 metres ahead, shall carry the following lamps (hereinafter referred to as «obligatory front-lamps»):

- (a) save in the cases of a motor cycle and an invalid carriage, two lamps showing to the front a white light visible from a distance of 160 metres;
- (b) in the cases of a motor cycle and an invalid carriage, one lamp showing to the front a white light visible from a distance of 160 metres and, where the registration mark exhibited at the front of the vehicle is exhibited on both sides of a plate in the manner prescribed in sub-rule (5) of rule 3.6 so fixed as to illuminate both sides of the plate;
- (c) in the case of a side-car attached to a motor cycle, a lamp affixed to the extreme left hand side of the side-car showing to the front a white light visible from a distance of 160 metres in addition to the lamp required by clause (b) above to be carried on the motor cycle;

and shall in every case also carry: —

- (ii) one lamp hereinafter referred to as the «rear lamp» showing to the rear a red light visible from a distance of 160 metres; and

- (ii) a lamp, which may be the rear lamp or some other device illuminating with a white-light the whole of the registration mark exhibited on the rear of the vehicle, so as to render it legible from a distance of 16 metres to the rear.

Provided that when a motor vehicle is drawing another vehicle or vehicles and the distance between such vehicles does not exceed two metres it shall not, subject to any other provision of these rules, be necessary for the drawn vehicles to carry obligatory front lamps or any save the last drawn vehicle to carry the rear lamp or a lamp illuminating the rear registration mark.

(2) Every lamp required under sub-rule (1) to be carried shall during the aforesaid period be kept properly lighted and in an efficient condition.

(3) Obligatory front lamps shall be as nearly as possible of the same power and at the same height from the ground.

(4) No lamp showing a light to the front shall be so fixed that the centre of the lamp is more than two metres from the ground; provided that this provision shall not apply to the internal lighting of any motor vehicle or to any light necessary to illuminate the route board of a public service vehicle.

(5) The rear lamp shall be fixed either on the centre line of the vehicle or to the right hand side and at a height of not more than one metre from the ground.

(6) Where a trailer is being drawn by a motor vehicle, other than the drawn part of an articulated vehicle, a lamp of as nearly as possible the same and power as the rear lamp and showing a red light to the rear shall be affixed to the trailer vertically above or below the rear lamp at a distance of not less than 600 millimetres or more than one metre from the rear lamp.

(7) No motor vehicle shall show a red light to the front or other than a red light to the rear; provided that this provision shall not apply to the internal lighting of the vehicle or to an amber light if displaced by any direction indicator.

(8) No lamp showing a light to the front shall be used on any vehicle unless such lamp is so constructed, fitted and maintained that the beam of light emitted therefrom —

- (a) is permanently deflected downwards to such an extent that it is at all times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance than 8 metres from the lamp, and whose eye level is not less than one metre above that plane; or
- (b) can be deflected downwards or both downwards and to the left by the driver in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid; or
- (c) can be extinguished by the operation of a device which at the same time cause a beam of light to be emitted from the lamp which complies with clause (a); or
- (d) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it inca-

pable of dazzling any such person in the circumstances aforesaid, or brings into or leaves in operation a lamp or lamps which complies or comply with clause (a).

(9) for the purpose of sub-rule (8) at least one of the following antidazzle devices shall be fitted to a motor vehicle: —

- (i) To paint the upper half of the head lamp lens with thick black paint and to fit head lamp lens shield to prevent upward reflection of light.
- (ii) To include a variable resistance in the lighting circuit so that the intensity of the illumination could be reduced to the minimum to allow a safe Crossing.
- (iii) To fit anti-dazzle automatic Photo electric Cell Control).

(10) Sub-rule (8) shall not apply to any lamp fitted with an electric bulb, if the power of the bulb does not exceed seven watts and the lamp is fitted with frosted glass or other material which has the effect of diffusing the light.

5.3 Brakes. — (1) Every motor vehicle shall be fitted with brakes of sufficient strength capable of stopping the vehicle within the distance specified in sub-rule (10) below and of holding it at rest in all conditions, and all the brakes with which the motor vehicle is fitted shall at all times be properly connected and shall be maintained in good and efficient condition.

(2) Every motor vehicle other than an invalid carriage, a trailer, a road roller or a locomotive, shall be equipped with an efficient braking system or systems sufficient to supply two means of operation so designed and constructed that notwithstanding the failure of any part (other than the fixed member of a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for the driver to apply, to not less than half the number of the wheels of the vehicle, brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that save in the case of a tractor or a heavy motor vehicle, in the event of such failure as aforesaid it shall not be necessary for brakes to be available for application by the driver:

- (a) in the case of a motor vehicle registered in India before the first day of April, 1940, to more than two wheels; and
- (b) in the case of a motor vehicle having less than four wheels to more than one wheel.

(3) The application of one means of operation shall not effect or operate the pedal or hand lever of the other means of operation.

(4) In the case of vehicles registered in India on or after the first day of April, 1940, no braking system shall be dependent upon the rotation of the engine:

Provided that this sub-rule shall not apply in the case of a vehicle referred to in clause (b) of sub-rule (8) of this rule or to the braking system of any trailer or of the trailing half of any articulated vehicle.

(5) The brakes of a motor vehicle which are operated by one of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(6) In the case of a motor vehicle with more than three wheels, other than an invalid carriage, a road roller or a locomotive where any brake shoe is capable of being applied by more than one means of operation, all the wheels shall be fitted with brakes, all of which are operated by one of the means of operation:

Provided that except in the case of a tractor:

- (a) where a motor vehicle has more than six wheels, at least four of which are steering wheels, it shall be sufficient compliance with this sub-rule if brakes are fitted to all the wheels other than two steering wheels which are situated on opposite side of the vehicle, and all such brakes are operated by one of the means of operation:
- (b) where a motor vehicle has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear on similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this sub-rule if one of the means of operation operates the brakes on two driving wheels situated on opposite side of the vehicle and the other means of operation operates brakes on all the other wheels required to be fitted with brakes by this sub-rule:

Provided further that where means of operation are provided in addition to those prescribed by this rule, such additional means of operation may be disregarded for the purposes of this sub-rule.

(7) One at least of the means of operation shall be capable of causing brakes to be applied directly and not through the transmission gear to all the wheels of the vehicle:

Provided that where a motor vehicle has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this sub-rule if the brakes applied by one means of operation act directly on two driving wheels on opposite side of the vehicle and the brakes applied by the other means of operation act directly on all other driving wheels.

(8) For the purposes of this rule:

- (a) in the case of a motor vehicle other than an invalid carriage, a road roller or a locomotive:
- (i) except in the case of a motor vehicle the unladen weight of which does not exceed 1016 kilograms or which is the passenger vehicle constructed or adapted to carry not more than seven passengers exclusive of the driver, not more one front wheel shall be taken into account in deciding whether the condition in sub-rule (2) is fulfilled, that brakes must be available which can

be applied to half the number of wheels of the vehicle; and

(ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system;

(b) in the case of the motor vehicle propelled by steam and not used as a public service vehicle, the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained action of the driver.

(9) The braking system operated by one of the means of operation shall, according to whether the vehicle is laden or unladen, be capable of bringing it to rest when travelling at the speed specified in the table below within the distance therein specified when at the time of the application of the brakes the vehicle is travelling over a hard dry level road in good condition with top gear and clutch engaged, or when in the same conditions the efficiency of the brakes as determined by a brake-testing meter approved by the State Government is not less than thirty per cent when the vehicle is laden and not less than forty per cent when the vehicle is unladen.

	Speed Miles per hour	Distance in feet to stop from application of brakes	
		Vehicles laden	Vehicles unladen
A. Foot operated	20	45	33.5
	15	25	19
B. Hand operated on a gradient 1 in 5	20	110	80

(10) For the purpose of the preceding sub-rule a vehicle shall be held to be laden when it carries not less than fifty per cent of the full load for which it is constructed.

5.4 Reversing. — Every motor vehicle other than a motor cycle shall be capable of moving forwards and backwards under its own power.

5.5 Horns. — (1) Every motor vehicle shall be fitted with a horn or other approved device available for immediate use by the driver of the vehicle and capable of giving audible and sufficient warning of the approach or position of the vehicle.

(2) No motor vehicle shall be fitted with any multi-toned horn giving a succession of different note or with another sound producing device giving an unduly harsh, shrill, loud or alarming noise.

(3) Nothing in subrule (2) shall prevent the use on vehicle used as ambulances, or for fire fighting or salvage purposes, or on vehicles used by police officers in the course of their duties, or on other similar vehicles of such sound signals as may be approved by the State Government.

(4) Every transport vehicle shall be fitted with a bulb horn.

5.6 Silencers. — Every motor vehicle shall be fitted with a device (herein referred to as a silencer) which by means of an expansion chamber or other-

wise reduces as far as may be reasonable and practicable the noise that would otherwise be made by the escape of exhaust gases from the engine.

(2) Every motor vehicle shall be so constructed or equipped that the exhaust gases from the engine are not discharged downwards so as to impinge on the road surface.

5.7 Mirror. — Every transport vehicle other than a motor cab shall be fitted externally and every other motor vehicle except a motor cycle having not more than two wheels and to which a side car is not attached, shall be fitted either internally or externally with a mirror so placed as to enable the driver to be or become aware of the presence, in the rear, of any other vehicle the driver of which is desirous of passing such motor vehicle.

5.8 Dangerous projections. — (1) No mascot or other similar fitting or device shall be carried on any motor vehicle registered in India after the first date of April, 1941, in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is unlikely to cause injury to any person by reason of any projection thereon.

(2) No motor vehicle shall be permitted to be used which is so constructed that any axle hub cap projects laterally more than 102 millimetres beyond the rim of the wheel to which it is attached, unless the hub of the hub cap does not project laterally beyond the body or wings of the vehicle and is provided with an adequate guards.

5.9 Noise. — Every motor vehicle shall be so constructed and maintained as not to cause undue noise when in motion.

5.10 Safety glass. — (1) The glass of windcreens or windows facing to the front on the outside of every motor vehicle shall be safety glass.

(2) For the purpose of this rule —

- (a) «safety glass» means glass so constructed or treated that if fractured it does not fly into fragments capable of causing severe cuts;
- (b) any windscreen or window at the front of the inner surface of which is at an angle exceeding thirty degrees to the longitudinal axis of the vehicle shall be deemed to face to the front.

(3) This rule shall not apply to a motor vehicle registered in India before the first day, of July, 1940.

5.11 Arrangement and maintainance of glass. — The glass of the front windscreen, side and rear windows of every motor vehicle shall be such and shall be maintained in such condition as to be clearly transparent and allow the driver a clear vision to the front and to the sides and through the prescribed mirror to the rear of the vehicle.

5.12 Windscreen wiper. — (1) An efficient automatic windscreen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the windscreen or otherwise obtain an adequate view to the front of the vehicle without looking through the windscreen.

(2) This rule shall not apply to a motor vehicle registered in India before the first day of April, 1940.

5.13 Tyres. — (1) The pneumatic tyres of every motor vehicles shall be kept properly inflated and in good and sound condition.

(2) A tyre shall be deemed to be not in good and sound condition if —

- (a) any of the fabric of the casing or breaker strip is exposed by wear of the tread or by any unvulcanised cut or abrasion of any part, or
- (b) the tyre shows signs of incipient failure by local deformation or swelling, or
- (c) the tyre has been patched or repaired by an outside gaiter or patch other than a properly vulcanise repair:

Provided that clause (c) shall not apply to a temporary repair effected to enable the vehicle to be moved to the nearest reasonable place where the tyre can be repaired or replaced.

(3) After the first day of April, 1942, no motor vehicle other than a tracklaying vehicle shall be driven at a speed in excess of 10 kilometres per hour unless it is fitted with pneumatic tyres on all wheels.

5.14 Emission of smoke, vapour or grease. — (1) Every motor vehicle shall be so constructed, shall be maintained in such condition, and shall be so driven and used that there shall not be emitted therefrom any smoke, visible vapour, grit sparks ashes, cinders, or oily substance the emission of which could be prevented or avoided by the taking of reasonable steps or the exercise of reasonable care, or the emission of which might cause damage or annoyance to other persons or property or endanger the safety of any other users of the road.

(2) Every motor vehicle using fuel shall be fitted with an efficient appliance for the purpose of preventing the emission of sparks or grit and also with a tray or shield to prevent ashes and cinders from falling on the road.

5.15 Speedometer. — (1) Every motor vehicle, other than an invalid carriage or a vehicle which may not under the provision of the Eighth Schedule of the Act at any time be driven at a rate of speed in excess of 10 kilometres per hour, shall be fitted with an instrument (hereinafter referred to as a «speedometer») so constructed and in such a position as at all times readily to indicate to the driver the speed at which the vehicle is travelling:

Provided that this sub-rule shall not apply to a motor cycle registered in India before the first day of July, 1940.

(2) A speedometer shall be deemed to satisfy the requirements of this rule if upon test it is found to be accurate within ten per cent above or below the speed specified for the vehicle in the Eighth Schedule to the Act, or if no speed is so specified than above or below the speed of 48 kilometres an hour.

5.16 Springing. — Every motor vehicle and every trailer drawn thereby shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the road wheels and the frame of the vehicle:

Provided that this rule shall not apply to —

- (a) any motor vehicle registered in India before the first day of April, 1940, if any means

of springing with which it is fitted are adequately maintained in good and sound condition;

- (b) any tractor not exceeding five thousand kilograms in weight unladen if all the unsprung wheels of the tractor are fitted with pneumatic tyres;
- (c) any land locomotive, land tractor, land implement, agricultural trailer, or any trailer used solely for the haulage of felled trees;
- (d) motor cycles;
- (e) vehicle designed for use in works or in private premises and used on a road only in passing from one part of the works or premises to another or to works or premises within a distance of two miles.

5.17 Steering. — The steering mechanism of every motor vehicle shall be adequately maintained in good and sound condition, free from backlash exceeding forty-five degrees on the steering wheel. All rods and arms shall be adequately protected by bumpers or otherwise from damage, and where the connections are secured with bolts or pins, the bolts or pins shall be effectively locked. All connections made with pins shall be such that when they are in any position other than horizontal the head of the pin shall be uppermost.

5.18 Overall width. — (1) The overall width of every motor vehicle measured at right angles to the axle of the motor vehicle between perpendicular planes enclosing the extreme points shall not exceed —

- (a) in the case of a motor vehicle other than a transport vehicle (but including a motor cab) 2.2 metres;
- (b) in the case of a transport vehicle other than a motor cab, 2.5 metres.

Provided that if the State Government is satisfied that a particular vehicle or class of vehicles having an over all width in excess of the width specified in this rule is suitable for carrying out any work in furtherance of a public purpose, the State Government, may by notification in the Official Gazette, exempt such vehicles or class of vehicles from the provisions of this rule either generally or in such areas or on such routes, subject to such conditions, if any, as may be specified in the notification.

5.19 Overall length. — (1) The Overall length of every motor vehicle other than a trailer shall not exceed —

- (a) in the case of a vehicle having not more than two axles, 9.14 metres;
- (b) in the case of a rigid framed vehicle having more than two axles, 10.36 metres;
- (c) in the case of an articulated vehicle having more than two axles, 10 metres (including the rear part or trailer).

Provided that if the State Government is satisfied that a particular vehicle or a class of vehicle having an overall length in excess of the length specified in this sub-rule is suitable for carrying out any work in furtherance of a public purpose the State Government may by notification in the Official Gazette exempt such vehicles or class of vehicles from the provisions of this sub-rule either generally or in such areas or on such routes subject to such conditions, if any, as may be specified in the notification.

(2) This rule shall not apply in the case of an articulated vehicle constructed and normally used for the conveyance of indivisible loads of exceptional length —

- (a) if all the wheels of the vehicle are fitted with pneumatic tyres, or
- (b) if all the wheels of the vehicle are not fitted with pneumatic tyres, so long as the vehicle is not driven at a speed exceeding 19 kilometres per hour.

(3) In this rule «overall length» means the length of the vehicle measured between parallel planes passing through the extreme projecting points of the vehicle exclusive of —

- (a) any starting handle;
- (b) any hood when down;
- (c) any ladder forming part of a turn-table fire-escape fixed to the vehicle;
- (d) any post office letter-box the length of which measured parallel to the axis of the vehicle does not exceed twelve inches;
- (e) any steps giving access to the interior of the vehicle;
- (f) any light ladder giving access to the roof of the vehicle.

5.20 Overall height. — (1) The overall height of a motor vehicle measured from the surface on which the motor vehicle rests shall not exceed 3.5 metres.

(2) This rule shall not apply to fire escapes, tower-wagons and other special purpose vehicle exempted by the general or special order of the District Magistrate.

5.21 Overhang. — (1) The overhang of a tractor or locomotive shall not exceed 1.8 metres.

(2) The overhang of a motor vehicle other than a tractor or locomotive shall not exceed fifty per cent of the distance between the plane perpendicular to the axis of the motor vehicle which passes through the centre or centres of the front or wheels and the foremost verticle plane from which the overhang is to be measured as defined in sub-rule (3).

(3) For the purposes of this rule «overhang» means the distance measured horizontally and parallel to the longitudinal axis of the vehicle between two vertical planes at right angles to such axis passing through the two points specified in paragraphs I and II of this definition, respectively —

I — The rear-most point of the vehicle exclusive of —

- (a) any hood when down;
- (b) any post office letter-box, the length of which measured parallel to the longitudinal axis of the vehicle, does not exceed 300 millimetres;
- (c) any ladder forming part of a turn-table fire-escape fixed to a vehicle;
- (d) any steps giving access to the interior of the vehicle;
- (e) any light ladder giving access to the roof of the vehicle;
- (f) any luggage carrier fitted to a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver.

II — (a) In the case of a motor vehicle having only two axles the front axle alone being a steering axle, the centre point of the rear axle, or

(b) in the case of a motor vehicle having only three axles where the front axle is the only steering axle, a point 100 millimetres in rear of the centre of a straight line joining the centre points of the rear and middle axle, or

(c) in any other case a point situated on the longitudinal axles of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle.

(4) In the case of any motor vehicle registered in India before the first day of April, 1940, it shall suffice if the overhang does not exceed fortyfive per cent of the wheel base of the vehicle.

5.22 Direction indicators and stop lights.— (1) For the purposes of the proviso to section seventy-nine of the Act, the signal of a intention to turn to the right or left may be given by a mechanical or electrical direction indicator, and during the period between half an hour after sunset and half an hour before sun rise the signal of an intention to stop may be given by an electrical stop light as hereinafter specified.

(2) Every direction indicator shall when in operation be in the form of an illuminated sign of amber colour of a minimum illuminated length of 150 millimetres and of a maximum illuminated breadth not exceeding one-fourth of the illuminated length, the illuminated surface being visible both from front and rear of the vehicle, or in the form of an arrow not less than 150 millimetres in length, presenting a white surface visible both from the front and rear of the vehicle.

(3) A direction indicator intended to intimate a right-hand turn shall be fitted only on the right side and a direction indicator intended to intimate a left-hand turn shall be fitted only on the left side of the vehicle, and except as provided in sub-rule (5) every direction indicator shall be so designed and fitted that—

- (a) it is not more than 1.2 metres behind the base of the wind screen;
- (b) it is not more than 2 metres above the level of the ground;
- (c) when in operation—
 - (i) it temporarily alters the outline of the vehicle to the extent of at least 150 millimetres measured horizontally;
 - (ii) its outermost point shall be at least 150 millimetres further from the longitudinal axis of the vehicle than is the outermost point of the driver's cab or of the side of the body immediately behind the driver's seat; and
 - (iii) it remains steady;
- (d) the driver of the vehicle when in his driving seat may be readily aware that it is operating correctly:

Provided that clause (a) shall not apply in the case of a pillarless saloon motor-car if the direction indicator is not situated behind the widest part of the body.

(4) For the purpose of this rule a «pillarless saloon motor-car» means a motor vehicle which is constructed solely for the carriage of passengers and their effects and is adapted to carry not more than

seven persons exclusive of the driver and which has—

- (a) an enclosed body with four doors; and
- (b) no vertical dividing pillar between the doors on either side of the vehicle.

(5) Additional direction indicators in the Form specified in sub-rule (2) may be fitted at the rear of any vehicle provided that—

- (a) they are only used coincidentally with those fitted in accordance with the provisions of sub-rule (3); and
- (b) they are visible at a reasonable distance from any point in the rear of the vehicle.

(6) Every direction indicator shall be so fitted that when not in operation it will not be likely to mislead the driver of any other vehicle or any person controlling traffic.

(7) Every stop light shall be fitted at the rear of the vehicle and not to the left of the, centre thereof and when in operation shall show a red or amber light:

Provided that nothing in this rule shall prevent the fitting of a duplicate stop light on the left side of the vehicle which comes into operation at the same time as the stop light fitted at the centre or on the right side of the vehicle.

(8) Every light shown by a direction indicator or a stop light shall be diffused by means of frosted glass or other adequate means and shall be a steady light.

(9) Every direction indicator and every stop light shall be such as to be readily operated by the driver of the motor vehicle at all times when sitting in the normal driving position.

(10) In the case of a motor vehicle fitted with right hand steering control nothing in this rule shall be taken to require that a direction indicator or a stop light shall be fitted. In the case of a motor vehicle with left hand steering control a direction indicator as specified in this rule is compulsory.

(11) Notwithstanding anything containing in this rule every transport vehicle, other than a delivery van, a motor cab or a tractor, shall be fitted with an electrical stop light, in the manner provided in this rule:

Provided that the State Government or the State Transport Authority may, by order exempt any transport vehicle or class of such vehicles from the requirement of fitting an electrical stop light on such conditions, if any, as may be specified in the order.

5.23 Cars fitted with left hand steering control.— A motor-car fitted with left hand steering control shall exhibit the words «Left Hand Drive» at a conspicuous place on its rear on a plane plate or a plane surface of the vehicle in red colour on white background, each letter being not less than 35 millimetres in height and of uniform thickness of 13 millimetres.

5.24 Wings.— (1) Every motor vehicle except a locomotive, a tractor or a trailer shall, unless adequate protection is afforded by the body of the motor vehicle, be provided with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels.

(2) The rear wheels of every trailer except a trailer drawn by a locomotive shall be provided with wings as aforesaid.

Side-car wheel. Every side-car attached to a motor cycle shall be so attached, at the left hand side of the motor cycle, that the wheel thereof is not wholly outside perpendicular planes at right angle to the longitudinal axis of the motor cycle passing through the extreme projecting points in front and in the rear of the motor cycle.

5.25 Communication with driver.— (1) Every transport vehicle whether for the use of passengers or goods in which the driver's seat is separated from the passengers or the goods compartment by a fixed partition, which is not capable of being readily open shall be furnished with efficient means to enable the passengers, conductor or the cleaner, in such a compartment to signal the driver to stop the vehicle, provided further that the cleaner, or a conductor in a goods vehicle shall be seated at the back to give signal to the driver when the former notices a faster vehicle approaching the one in which he is travelling.

(2) Sub-rule (1) shall not apply to —

- (i) petrol tank lorries; and
- (ii) the vehicles fitted with tanks on the entire Chassis.

5.26 Marks to be exhibited on vehicles being driven to a place of registration.— (1) When on the authority of sub-section (2) of section 22 of the Act a motor vehicle is driven to or from a place of registration without a registration mark, the following particulars shall be exhibited thereon, namely:

- (a) the name of the owner;
- (b) the designation of the firm from which the vehicle has been purchased, if it has been newly acquired by the owner;
- (c) the date and time (to be ascertained by previous inquiry from the Registering Authority) when the registration is to be carried out.

(2) The particulars required by the preceding sub-rule shall be exhibited on boards in front and rear of the vehicle in letters and figures not less than 50 millimetres high.

5.27 Special marks to be exhibited in a stage carriage when in use as a contract carriage.— (1) No stage carriage or a vehicle forming part of a service of stage carriage shall be used as a contract carriage unless a board is affixed on each side of the vehicle showing that it is for the time being in use as such and not as a stage carriage.

(2) The boards required by the preceding subrule shall exhibit the words «ON CONTRACT» in red letters on a white ground, the letters being of a size not less than that prescribed for the numerals of a registration mark, and shall be affixed in a prominent and unobscured position at or near roof level.

(3) The boards required by sub-rule (1) shall be affixed before the commencement of any trip for which the vehicle is being used as a contract carriage and shall be kept, affixed throughout the whole of the trip, and any boards or marks indicating the

route or routes on which the vehicle is operated at other times shall be removed or covered up throughout the trip.

Special rules applicable to all Public Service Vehicles

5.28 General.— (1) Every public service vehicle, and all parts thereof including paint-works or varnish, shall be maintained in a clean and sound condition, and the engine mechanism and all working parts in reliable working order.

(2) Every public service vehicle shall carry a first-aid-box containing the following articles:

- (1) Set of ordinary splints (consisting of six splints with four iron sockets);
- (2) 4 triangular bandages;
- (3) 3.2×1½ packet surgeons lint;
- (4) 4×15 grams packet cotton wool;
- (5) 9 first-aid dressings;
- (6) 11 roller bandages;
- (7) 4 burn dressings;
- (8) 2 eye pads;
- (9) 1 card safety pins;
- (10) 1 pair scissors;
- (11) 1 spool plaster 25 millimetres;
- (12) 1 medicine tumbler;
- (13) 1 bottle spirit surgical;
- (14) 1 bottle sal volatile;
- (15) 1 small tourniquet;
- (16) 1 pad splinter forceps.

5.29 Stability.— (1) The stability of a single-decked public service vehicle other than a motor cab shall be such that under any conditions of load, at an allowance of 160 pounds for every passenger for which the vehicle is registered, if the surface on which the vehicle stands were tilted to either side to an angle of thirty-five degrees from the horizontal the point at which overturning occurs would not be reached.

(2) For the purpose of conducting tests of stability the height of any stop used to prevent a wheel of the vehicle from slipping sideways shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is tilted, and that part of the rim of that wheel which is than nearest to such surface when the wheel is loaded in accordance with the requirements of this rule.

5.30 Side overhang.— In the case of a vehicle used as a stage carriage, no part of the vehicle other than a direction indicator, when an operation, or a driving mirror shall project laterally more than 350 millimetres beyond the extreme outer edge of the outer tyre in the case of the dual rear wheels.

5.31 Seating room.— (1) In every public service vehicle other than a motor cab there shall be provided for each passenger a reasonably comfortable seating space of not less than 375 millimetres square measured on straight lines along and at right angle to the front of each seat, and

- (a) when the seats are placed along the vehicle, the backs of the seats on one side shall be at least 1.37 metres distant from the backs of the seats on the other side;
- (b) when the seats are placed across the vehicle and are facing in the same direction there shall be everywhere a clear space of not

less than 66 centimetres between the backs of the seats; and

- (c) when seats are placed across the vehicle and are facing each other there shall be everywhere a clear space of not less than 1.25 metres between the backs of facing seats.
- (d) where seats are placed in such a manner that one row is alongside the vehicle and other rows of seats across the vehicle, the clear space between the front end of the longitudinal seats and the nearest part of the transverse seats shall not be less than 450 millimetres.

(2) The backs of all seats shall be closed to a height of sixteen inches above seat level.

5.32 Gangway.—(1) In every compartment of every public service vehicle the entrance to which compartment is from the front or rear there shall be a gangway along the vehicle, and

- (a) where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than 60 centimetres measured between the fronts of the seats; and
- (b) where seats are placed across the vehicle there shall be as gangway a clear space of not less than 300 millimetres up to a height 760 millimetres from the floor level and not less than 380 millimetres above 760 millimetres from the floor level and where standing passengers are allowed, there shall be as gangway a clear space of not less than 500 millimetres in width up to a height of 760 millimetres from the floor level.

(2) Where the vehicle has seats across the full width of the body with separate doors to each seat, a gangway from front to rear of the vehicle shall not be required.

5.33 Limit of seating capacity.—Notwithstanding anything contained in these rules, no public service vehicle other than a motor cab shall be registered for a number of passengers in excess of the number obtained by subtracting 118 kilograms from the difference in kilograms between the registered laden and unladen weight of the vehicle and dividing the resulting figures by 160 or for such numbers of passengers that when the vehicle is loaded in the normal manner, the axle weight of any axle will exceed the registered axle weight for that axle.

5.34 Head-room.—Every public service vehicle other than a motor cab shall have the following internal height or head-room measured along the centre of the vehicle from the top of the floor boards or battens to the underside of the roof supports:

- (a) In the case of a vehicle with a permanent top not less than 1.4 metres and not more than 1.8 metres.
- (b) In the case of a vehicle with a moveable hood not less than 1.4 metres.

5.35 Drivers Seat.—(1) No public service vehicle shall be driven otherwise than from the right hand side of the vehicle.

(2) On every public service vehicle space shall be reserved for the driver's seat such as to allow him to exercise full and unimpeded control of the vehicle, and in particular:—

- (a) the part of the seat against which the driver's back rests shall not be less than 280 millimetres from the nearest point on the steering wheel and that the seat shall be so constructed as to be adjustable in such a way that the distance is increased to 350 millimetres. The driver's seat shall be constructed as to permit an up and down adjustment in addition to the fore and aft adjustment mentioned herein;
- (b) the width across the vehicle shall be not less than 680 millimetres and shall extend to the left of the centre of the steering column in no case less than 250 millimetres and so that a line drawn parallel to the axis of the vehicle through the centre of any gear lever, brake lever, or other device to which the driver has to have frequent access lies not less than 50 millimetres inside the width reserved for the drivers seat; and
- (c) in the case of a public service vehicle other than a motor cab, the space reserved in accordance with clause (b) above shall at the left hand and be enclosed with a rigid wooden or other suitable partition to a height not less than 300 millimetres above the seat, and continued forward of the seat at an adequate height above the floor of the vehicle.

(3) No public service vehicle shall be so constructed that any person may sit or any luggage may be carried on the right hand side of the driver.

(4) Every public service vehicle shall be so constructed that save for the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of ninety degrees to his right hand side. The front pillar of the body shall be so constructed as to obstruct the vision of the driver to the least possible extent.

(5) The Transport Authority may, by order in writing, direct that until such time as the vehicles have been taken off the road after having lived their lives nothing in this rule in regard to and consequent upon provision requiring that the vehicle shall be driven from the right hand side shall apply to a public service vehicle fitted with left hand steering control and obtained through the Disposal Organization of the Central Government.

(6) Where a Registering Authority registers a public service vehicle in respect of which, or belonging to a class in respect of which an order under sub-rule (5) has been made, he shall note in the certificate of registration the fact that nothing in rule 5.35 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

5.36 Width of doors.—(1) Except in the case of a vehicle registered before the first day January, 1965, every entrance and exit of a public service vehicle other than a motor cab shall be at least 530 millimetres in width and of sufficient height.

(2) Every entrance and exit doors shall be capable of being open outwards by one operation of the locking mechanism.

(3) Door handles or levers to door catches shall be so designed and fitted that they are not liable to be dislodged or to be operated accidentally.

(4) All doors shall be so designed as to be readily opened in case of need from both the inside and outside of the vehicle.

(5) Every public service vehicle shall have an emergency exit separate from the entrance door.

(6) All emergency exits shall:—

- (i) be clearly marked «EMERGENCY EXIT» in bold letters on the inside;
- (ii) be fitted with doors to open outwards;
- (iii) be so designed as to be opened from both the inside and the outside of the bus;
- (iv) be equipped with a fastening device which can be quickly released but so designed as to offer protection against accidental release;
- (v) be easily accessible to persons of normal height standing on the ground outside the vehicle;
- (vi) be such that no seat or other object placed in the bus will restrict the passage to the emergency door;
- (vii) be located either at the back or on the right hand side of the bus;
- (viii) have no step leading to it.

(7) For city or urban buses, where the turnover of passengers is large, the number of stops great, and the duration of stop very short, different openings may be provided for entrance and exit in addition to the emergency driver's exit.

5.36-A. There shall be unobstructed accessibility from every seat to at least one exit:

Provided that this rule shall not apply to any seat along with the driver, if there is access to such seats by an entrance other than the driver's entrance.

Direct access shall be provided to the driver's seat either from the off side or the vehicle or by means of the passage, which shall not be smaller in dimensions than the one prescribed from the gangway.

5.37 Grab rail.—A grab rail shall be fitted to every entrance or exit, other than an emergency exit of a public service vehicle other than a motor cab to assist passengers in boarding or alighting from the vehicle.

5.38 Steps.—(1) In every public service vehicle other than a motor cab the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, shall not be more than 600 millimetres or less than 425 millimetres above the ground when vehicle is empty. Fixed steps shall not be less than nine inches wide and shall in no case project laterally beyond the body of the vehicle unless they are so protected by the front wings (or otherwise) that they are not liable to injure pedestrians—

The shortest distance between any step-well and a vertical plane passing through the front edge of a seat shall not be less than 225 millimetres.

5.39 Cushions.—Where the seats of the public service vehicle are provided with fixed or moveable cushions, the cushions shall be covered with lather, cloth of good quality or other material of such a kind that they are capable of being kept in a clean and sanitary condition.

5.40 Body dimensions and guard rails.—(1) Every public service vehicle other than motor cab shall be so constructed that—

(a) in the case of a vehicle with an enclosed body—

- (i) the height of the body sides from the floor or the height to the sills of the windows, as the case may be, shall not be less than 710 millimetres;
- (ii) if the height of the side of the body or the sills of the windows, as the case may be, above the highest part of any seat is less than 450 millimetres provision is made by means of guard rails or otherwise to prevent the arms of seated passengers being thrust through and being injured by passing vehicles, or the extent to which the side windows or venetians can be lowered is such that when lowered their top edge is not less than 450 millimetres above the highest part of any seat;

(b) in the case of a vehicle with open sides, guard rails shall be provided along the right-hand side of the vehicle to prevent any person other than the driver from mounting or alighting from the vehicle on that side;

(2) For the purposes of this rule the seat-back shall not be deemed to be part of the seat.

5.41 Protection of passengers from weather.—(1) Every public service vehicle shall be either constructed with a fixed and watertight roof or equipped with a watertight hood that may be raised or lowered as required.

(2) Every public service vehicle shall have suitable windows, venetians or screens capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle. When the screens are made of fabric, the whole of them shall at all times be fastened securely to the vehicle.

(3) Where glass windows or venetians are used, they must be provided with effective means to prevent their rattling.

(4) Glass windows or panels that are liable to be broken if passengers are thrown against them shall, unless they are of safety glass, be adequately guarded. Windows shall be similarly guarded if there is any likelihood of passengers leaning out through the openings.

(5) There shall be adequate ventilation for both passengers and drivers without the necessity for opening any main window or wind screen.

5.42 Prohibition on the fitting of mirrors.—No mirror or glass-covered picture shall be fitted inside or outside the body of any public service vehicle:

Provided that nothing herein shall prohibit the fitting of any mirror which may be necessary to enable the driver to obtain a view of the road in the rear of the vehicle or a view of the interior of the vehicle.

5.43 Internal lighting.—Every public service vehicle (other than a motor cab) having a permanent roof shall be furnished with one or more electric lights adequate to give reasonable illumination

through the passenger's compartment or compartments but of such power or so screened as not to impair the forward vision of the driver.

5.44 Body construction.—The body of every public service vehicle shall be so constructed and so fastened to the frame of the vehicle as to comply with such directions as may be issued by the State Transport Authority from time to time.

5.45 Lighting to be by electricity.—No light other than an electric light shall be fitted to any public service vehicle.

5.46 Fuel tanks.—(1) No fuel tank shall be placed in any public service vehicle under any part of any gangway which is within 600 millimetres of any entrance or exit of a vehicle.

(2) The fuel tank of every public service vehicle shall be so placed that no overflow therefrom shall fall upon any wood work or accumulate where it can be readily ignited. The filling points of all fuel tanks shall be outside the body of the vehicle, and the filler caps shall be so designed and constructed that they can be securely fixed in position.

5.47 Carburettors.—In every public service vehicle any carburettors and apparatus associated therewith shall be so placed and shielded that no fuel leaking therefrom shall fall upon any part or fitting that is capable of igniting it or into any receptacle where it might accumulate.

5.48 Exhaust pipe.—The exhaust pipe of every public service vehicle shall be so fitted or shielded that no inflammable material can be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle; and the outlet thereof shall be placed far enough to the rear to prevent, so far as practicable, fumes from entering the vehicle, and in the case of a vehicle registered after the first day of January, 1965 on the right hand side of the vehicle.

5.49 Electric wires.—All electric wires or leads shall be adequately insulated.

5.50 Fire extinguishers.—Transport Authority, may as a condition of the grant of a permit require in the public service vehicle to be equipped with a fire extinguisher of a type specified by the said Authority and may require that such fire extinguisher shall be inspected at such periods and by such persons as the Authority may specify.

5.50-A. Every public service vehicles shall be equipped with water-proof canvass for safe-guarding luggage belonging to passengers and carried on the roof of the vehicle.

5.51 Locking of nuts.—All moving parts of every public service vehicle and all parts subject to severe vibration connected by bolts or studs and nuts shall be fastened by lock nuts or by nuts with efficient spring or lock nuts washers or by castellated nuts and split pins by some other efficient device so as to prevent them working loose.

5.52 Floor boards.—(1) The floor boards of every public service vehicle shall be strong and so closely

fitted or so covered with suitable material as to exclude as far as possible draughts and dust.

(2) The floor boards may be pierced for the purpose of drainage but for no other purpose.

5.53 Spare wheel and tools.—(1) Save as otherwise specified by the State Transport Authority in respect of municipal or cantonment areas, every public service vehicle shall at all times be equipped with not less than one spare wheel or rim fitted with a pneumatic tyre in good and sound condition ready inflated, and mounted in such a way that it can be readily dismounted and fitted to the vehicle in the place of any one of the road wheels.

(2) Sub-rule (1) shall not apply to a public service vehicle during the completion of any journey during which it has been necessary to bring the spare wheel or rim and tyre into use.

(3) Every public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change a wheel or rim and tyre and with equipment necessary to repair a puncture, including the following:—

Spanners to fit every nut on the vehicle.

One screw driver.

One pair pliers.

One hammer.

Two tyre levers.

Tyre repair outfit.

Tyre pump.

Wheel jack.

One spare headlight bulb and one spare rear-lamp bulb.

A supply of spare fuses.

(4) Every transport vehicle other than a motor cab granted a permit which enables it to operate regularly on any road shall be furnished with a suitably fashioned block, attached by chain to the vehicle, to be used as a chock when the vehicle is halted on a slope.

5.54 Advertisements and other markings on Public Service Vehicles.—(1) No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be permitted by the State Transport Authority by general or specific order.

(2) A public service vehicle when regularly used for carrying Government mail by or under a contract with the Indian Posts and Telegraphs Department shall exhibit in a conspicuous place upon a plate or a plane surface of the motor vehicle the words «MAIL» in red on a white ground, each letter being not less than 150 millimetres in height and of a uniform thickness of 20 millimetres.

(3) Save as aforesaid, no motor vehicle shall display any sign or inscription which include the word «MAIL».

5.54-A. No public service vehicle, other than a contract carriage shall ply for hire unless it clearly exhibits on the roof of the vehicle immediately above the driver's seat and forward of luggage carrier, if any, a route board enabling the destination, registered number and starting place to be read by any person approaching the vehicle.

Special rules applicable to goods vehicles

5.55 Body and loading platform.—The body of every goods vehicle including a trailer shall be so

fastened to the frame of the vehicle and so constructed as to comply with such directions as may be issued by the State Transport Authority from time to time. The vehicle shall be capable of carrying the load for which it is used without danger or inconvenience to other road users so that the load can be securely packed within the body or platform.

5.56 Driver's Seat.—Rule 5.35 relating to the driver's seat shall apply to every goods vehicle other than a delivery van.

Special rules applicable to trailers

5.57 Overall length.—(1) The overall length of a trailer, excluding any draw-bar, shall not exceed 6.7 metres.

(2) This rule shall not apply to—

- (a) a trailer constructed and normally used for the conveyance of indivisible loads of abnormal length.
- (b) any agricultural or road-making implement.
- (c) the trailing part of any articulated vehicle.
- (d) to any incompletely assembled or otherwise disabled motor vehicle which is being drawn by a motor vehicle in consequence of the disablement.

5.58 Brakes.—(1) Save as provided in sub-rule (2) below, every trailer exceeding 500 kilograms in weight laden shall have an efficient braking system, the brakes of which are capable of being applied when it is being drawn—

- (a) In the case of a trailer having not more than two axles, to at least all the wheels of one axle, or
- (b) in the case of a trailer having more than two axle to all the wheels of two axles;

Provided always that the brakes as aforesaid shall be capable of being applied to not less than half the number of wheels of the trailer and so constructed that—

- (i) the brakes can be applied either by the driver of the drawing vehicle or by some other person on such vehicle or the trailer,

Provided that this clause shall not apply in the case of a trailer not exceeding 1016 kilogram in weight unladen or in the case of a trailer not constructed or adapted to carry any load other than plant or other special appliance or apparatus which is a permanent or essentially permanent fixture and not exceeding 2030 kilogram in total weight, if in either case the brakes of the trailer automatically come into operation on the overrun of the trailer, and

- (ii) the brakes are capable of being set so as effectually to prevent two at least of the wheels from revolving when the trailer, whether it is attached to the drawing vehicle, or not, is not being drawn.

(2) Sub-rule (1) hereof shall not apply to—

- (a) any land implement drawn by a motor vehicle,
- (b) any trailer designed for use and used by local authority for street cleansing provided that the trailer does not carry any load other than its necessary gear and equipment, or

- (c) any disabled vehicle which is being drawn by motor vehicle in consequence of the disablement.

(3) The braking system shall be so constructed that it is not dependent upon the rotation of the engine of drawing vehicle.

Exemption

5.59 Exemption of military vehicles.—Provisions of the rules specified in the first column of the Table below shall not, to the extent specified in the corresponding entries in the second column thereof, apply to any military motor vehicle registered under section 39.

Rule	Extent not applicable
5.2	(a) Clause (i) of sub-rule (1) and sub-rules (6) and (7). (b) The Senior Superintendent of Police may by order in writing and subject to any conditions authorise the driving at night, without lights of motor vehicles registered under section 39 during the hours and on the route or routes or in the area, within his jurisdiction specified in the order.
5.5	Sub-rule (4).
5.16	The whole.
5.18	The whole, provided that the width does not exceed 2.4 metres.
5.20	The whole.
5.57	The whole.
5.58	The whole.

5.60 Exemption of road plant.—Nothing in rules 5.2, 5.5, 5.6, 5.7, 5.8, 5.9, 5.15, 5.16, 5.18, 5.19, 5.21, 5.22, 5.24 and 5.58 shall apply to road-rollers and other machines specially constructed or adapted for the construction or maintenance of roads which are the property of the Central or the State Government or of any local authority.

CHAPTER V-A

Special specifications for motor cycle rickshaw bodies

5-A. 1. (i) Type of body and material.—The body of every auto-rickshaw shall be either of a station wagon or a box type or hackney carriage type as approved by the State Transport Authority, soundly constructed to the satisfaction of the Registering Authority and shall be securely fastened to the frame of the vehicle. There shall be adequate arrangements for protection of passengers from sun, wind and rain. The material used in the construction shall be strong and of good quality.

(ii) **Roof.**—The roof shall be so constructed as to provide protection for passengers from sun and rain and shall be either of metal sheeting or canvas or some other suitable material.

5-A. 2. Overhang.—The overhang of the body shall not exceed fortyone per cent of the distance between the plane perpendicular to the axis of the auto-rickshaw which passes through the centre of the front wheel and the centre of the rear axle.

5-A. 3. Overall width.—(i) 4—Passenger auto-rickshaws.—The overall width measured at right angles to the axis of the planes enclosing the extreme points shall be not more than 1.8 metres and not less than 1.3 metres.

(ii) 2 — Passenger auto-rickshaws. — The overall width measured at right angles to the axis of the planes enclosing the extreme points shall be not more than 1.4 metres and not less than 1 metre.

5-A. 4. Overall height. — (i) 4 — Passenger auto-rickshaw. — The overall height measured from the surface on which auto-rickshaw stands shall not exceed 1.4 metres and there shall be at least 1.2 metres clear head space between floor board and the roof.

(ii) 2 — Passenger auto-rickshaw. — The overall height measured from the surface on which auto-rickshaw stands shall not exceed 1.4 metres and there shall be at least 1.2 metres clear head space between floor board and the roof.

5-A. 5. Road Clearance. — The road clearance of every auto-rickshaw shall be not more than 225 millimetres and not less than 150 millimetres.

5-A. 6. Clearance of floor boards. — The floor board shall not be more than 550 millimetres above the surface on which the auto-rickshaw stands.

5-A. 7. Lights. — Every auto-rickshaw shall be fitted with one head and two side white lights or two head lights on the body in the front. In addition to the front lights, an auto-rickshaw shall be fitted with the rear lamp showing to the rear a red light visible from a distance of 150 metres and illuminating with white light the registration mark exhibited on the rear of the vehicle so as to render it legible from a distance of 15 metres and also two cat's eye reflectors on the rear mudguards so as to warn the vehicular traffic approaching from behind that there is an auto-rickshaw ahead. If no mudguards are used cats-eye reflectors in the rear will be optional. The auto-rickshaw shall be also fitted with a rear stop-light to be operated by foot-brake.

5-A. 8. Driver's seat. — The back of the driver's seat should have at least 100 millimetres of clearance from the front panel of the body. A wind screen shall be provided for the driver.

5-A. 9. Gangway. — In every 4 — Passenger auto-rickshaw the entrance to which is from the front or rear and the seats are placed across the vehicle there shall be a gangway of not less than 300 millimetres.

5-A. 10. Seat. — The seating area and the seating layout shall be in accordance with these rules and the dimensions and specifications thereof shall be as may be specified by the State Transport Authority, in its approved seating layout plan.

5-A. 11. Leg space. — (i) 4 — Passenger auto-rickshaw: — There shall be provided at least 275 millimetres leg space.

(ii) 2 — Passenger autorickshaw: — There shall be provided at least 375 millimetres leg space.

5-A. 12. Milometer. — Every auto-rickshaw shall be provided with a suitable type of milometer to record total mileage covered on the basis of which fare is paid and also in milometer of the type in which trip reading can be adjusted to zero or fare meter.

5-A. 13. Horn. — Every auto-rickshaw shall be fitted with a bulb horn in addition to electric horn.

5-A. 14. Rear view mirror. — Every rickshaw shall be fitted with a rear view mirror mounted at a suitable place to give a clear unobstructed view of the rear to the driver.

5-A. 15. Brakes. — Every auto-rickshaw shall be fitted with mechanically-operated brakes capable of stopping the vehicle within a reasonably safe distance. In addition, every auto-rickshaw shall also be provided with a manually-operated hand-brake to be used in emergency or for parking purposes.

5-A. 16. Reverse gear. — Four-seater auto-rickshaw built over a chassis fitted with an engine rated at 7.5 H. P. or above shall be fitted with reverse gear arrangements so as to reverse the vehicle while in operation.

5-A. 17 Differential Assembly. — Every auto-rickshaw with a rear drive shall be provided with a differential assembly, power to which is transmitted either through chain or a shaft.

CHAPTER VI Control of Traffic

6.1 Limitations on the use of heavy transport vehicles. — (1) No transport vehicle shall be driven within the state in such a state that the total weight of the vehicle and its load, including the weight of any trailer drawn by the vehicle under load carried thereon, exceeds eight metric tons, or in such a state that the weight carried on any one axle of the vehicle or trailer exceeds six metric tons:

Provided that the 4-wheeler transport vehicle may be allowed to be driven within the State where the laden axle load thereof does not exceed metric 8 tons, the axle spacing (distance between front and rear axles) is not less than 3.8 metres and the width over track between centre to centre of wheel is not less than 1.5 metres and the total weight exceeds eight tons but does not exceed 10.16 metric tons.

Provided further that a 6-wheeler transport vehicle with one trailer, the laden axle load of which does not exceed 4 tons, the laden axle weight of trailer does not exceed 3 tons, the axle spacing between front and rear axle of tractor is not less than 32 metres feet, the axle spacing between rear axles of tractors is not less than 1.2 metres, the axle spacing between axles of trailer is not less than 3 metres, the axle spacing between rear axle of tractor and front axle of trailer is not less than 4.2 metres, the total weight of the tractor and trailer exceeding eight metric tons but not exceeding 16 metric tons may be allowed to be driven in the State:

Provided further that in the case of tracked loads the total load of the tracked vehicle spread over 2.8 metres length shall not exceed 12 metric tons.

(2) For the purpose of the preceding sub-rule all persons carried on the vehicle shall be included in the load.

(3) The State Government may by order in writing exempt any motor vehicle or class of motor vehicles from the operation of the preceding sub-rule.

6.2 Signalling devices. — (1) Subject to succeeding sub-rules, the signalling device required by section 80 shall be a direction indicator as prescribed in rule 5.23 and shall be fitted to both sides of the vehicle.

(2) Notwithstanding anything contained in sub-rule (1) until such time as the vehicles have been

taken off the road after having lived their lives, a motor vehicle, other than a transport vehicle, obtained through the Disposals Organization of the Central Government may be fitted with a mechanical or electrical direction indicator complying with the requirements of rule 5.23 on the right hand side of the vehicle only.

(3) The State Transport Authority may, by order in writing, direct, that the provisions of sub-rule (2) shall apply to any transport vehicle or class of transport vehicles, specified in the order.

(4) At the time of registration of a transport vehicle, in respect of which or belonging to a class in respect of which, an order under sub-rule (2) has been made the Registering Authority concerned shall record a note in the Certificate of Registration to the effect that the direction indicator may be fitted on the right hand side only.

6.3 Vehicles abandoned on the road. — (1) If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, any Police Officer may —

- (a) forthwith cause the vehicle to be moved under obstruction or danger;
- (b) unless it is moved to a position where it will not cause obstruction or danger take all reasonable precautions to indicate the presence of the vehicle; and
- (c) if the vehicle has been stationary in one place for a continuous period of twenty-four hours and adequate steps have not been taken for its repair or removal by the owner or his representative, remove the vehicle and its contents to the nearest place of safe custody.

(2) If a motor vehicle has been stationary in a duly appointed parking place for a period exceeding that specified by competent authority in respect of the said place, or if no such period has been specified for a period exceeding six hours, any Police Officer may remove the vehicle to the nearest place of safe custody.

(3) Notwithstanding any fine or penalty which may be imposed upon any person upon conviction for the contravention of the provisions of section 81 or of any regulations made by a competent authority in relation to the use of duly appointed parking places, the owner of the motor vehicle or his heirs or assigns shall be liable to make good any reasonable expense incurred by any Police Officer in connection with the moving, lighting, watching or removal of a vehicle or its contents in accordance with sub-rules (1) and (2); any Police Officer, or any person into whose custody the vehicle has been entrusted by any Police Officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall upon receiving such payment give a receipt to the person making the payment.

6.4 Use of weighing devices. — (1) The driver of any goods vehicle required by a competent authority under section 73 to convey the vehicle to a weighing device shall upon the demand of such authority so drive and manipulate the vehicle as to place it or any wheel or wheels thereof, as the case may be, upon the weigh-bridge or wheel-weigher in such a manner that the weight of the vehicle or the weight transmitted by any wheel or wheels may be exhibited by the weigh-bridge or wheel weigher.

(2) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (1) a person authorised under section 73 may cause any person, being the holder of a licence authorising him to drive such a vehicle, so to drive and manipulate the vehicle.

(3) When the vehicle or axle weight of a motor vehicle is determined by separate and independent determination of the weight transmitted by any wheel or wheels of the vehicle, to axle weight and the laden weight shall be deemed to be the sum of the weights transmitted by the wheels of any axle or by all the wheels of the vehicle as the case may be.

(4) Upon the weighing of a vehicle in accordance with the said section and this rule, the person who has required the weighing or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle the weight of which is separately determined.

(5) No weighing device shall be used for the purpose of section 73 unless it is tested not less than once in every six calendar months by an officer appointed by the Chairman of the State Transport Authority.

6.5 Restriction on driving with gear disengaged. — No person shall drive a transport vehicle with the clutch pedal depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as a brake when the vehicle is travelling down an incline.

6.6 Prohibition on mounting or taking hold of vehicle in motion. — (1) No person shall mount or attempt to mount on or dismount from any motor vehicle when the motor vehicle is in motion.

(2) No person shall take hold of, and no driver of a motor vehicle shall cause or allow any person to take hold of, any motor vehicle in motion for the purpose of being towed or drawn upon some other wheeled vehicle or otherwise.

6.7 Towing. — (1) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle or a registered trailer shall be drawn or towed by any motor vehicle.

(2) No motor vehicle other than a registered trailer shall be drawn or towed by any other motor vehicle unless there is in the driver's seat of the motor vehicle being drawn or towed a person holding a licence authorising him to drive the vehicle or unless the steering wheels of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(3) When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed five metres. Steps shall be taken to render the tow rope or chain easily distinguishable by other users of the road, and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than 75 millimetres high and on a white ground the words «ON TOW»:

Provided that no person shall be liable to be convicted for the contravention of the sub-rule for failure to display the words «ON TOW» if the motor vehicle which is towing the other is not a motor

taken off the road after having lived their lives, a motor vehicle, other than a transport vehicle, obtained through the Disposals Organization of the Central Government may be fitted with a mechanical or electrical direction indicator complying with the requirements of rule 5.23 on the right hand side of the vehicle only.

(3) The State Transport Authority may, by order in writing, direct, that the provisions of sub-rule (2) shall apply to any transport vehicle or class of transport vehicles, specified in the order.

(4) At the time of registration of a transport vehicle, in respect of which or belonging to a class in respect of which, an order under sub-rule (2) has been made the Registering Authority concerned shall record a note in the Certificate of Registration to the effect that the direction indicator may be fitted on the right hand side only.

6.3 Vehicles abandoned on the road. — (1) If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, any Police Officer may —

- (a) forthwith cause the vehicle to be moved under obstruction or danger;
- (b) unless it is moved to a position where it will not cause obstruction or danger take all reasonable precautions to indicate the presence of the vehicle; and
- (c) if the vehicle has been stationary in one place for a continuous period of twenty-four hours and adequate steps have not been taken for its repair or removal by the owner or his representative, remove the vehicle and its contents to the nearest place of safe custody.

(2) If a motor vehicle has been stationary in a duly appointed parking place for a period exceeding that specified by competent authority in respect of the said place, or if no such period has been specified for a period exceeding six hours, any Police Officer may remove the vehicle to the nearest place of safe custody.

(3) Notwithstanding any fine or penalty which may be imposed upon any person upon conviction for the contravention of the provisions of section 81 or of any regulations made by a competent authority in relation to the use of duly appointed parking places, the owner of the motor vehicle or his heirs or assigns shall be liable to make good any reasonable expense incurred by any Police Officer in connection with the moving, lighting, watching or removal of a vehicle or its contents in accordance with sub-rules (1) and (2); any Police Officer, or any person into whose custody the vehicle has been entrusted by any Police Officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall upon receiving such payment give a receipt to the person making the payment.

6.4 Use of weighing devices. — (1) The driver of any goods vehicle required by a competent authority under section 73 to convey the vehicle to a weighing device shall upon the demand of such authority so drive and manipulate the vehicle as to place it or any wheel or wheels thereof, as the case may be, upon the weigh-bridge or wheel-weigher in such a manner that the weight of the vehicle or the weight transmitted by any wheel or wheels may be exhibited by the weigh-bridge or wheel weigher.

(2) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (1) a person authorised under section 73 may cause any person, being the holder of a licence authorising him to drive such a vehicle, so to drive and manipulate the vehicle.

(3) When the vehicle or axle weight of a motor vehicle is determined by separate and independent determination of the weight transmitted by any wheel or wheels of the vehicle, to axle weight and the laden weight shall be deemed to be the sum of the weights transmitted by the wheels of any axle or by all the wheels of the vehicle as the case may be.

(4) Upon the weighing of a vehicle in accordance with the said section and this rule, the person who has required the weighing or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle the weight of which is separately determined.

(5) No weighing device shall be used for the purpose of section 73 unless it is tested not less than once in every six calendar months by an officer appointed by the Chairman of the State Transport Authority.

6.5 Restriction on driving with gear disengaged. — No person shall drive a transport vehicle with the clutch pedal depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as a brake when the vehicle is travelling down an incline.

6.6 Prohibition on mounting or taking hold of vehicle in motion. — (1) No person shall mount or attempt to mount on or dismount from any motor vehicle when the motor vehicle is in motion.

(2) No person shall take hold of, and no driver of a motor vehicle shall cause or allow any person to take hold of, any motor vehicle in motion for the purpose of being towed or drawn upon some other wheeled vehicle or otherwise.

6.7 Towing. — (1) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle or a registered trailer shall be drawn or towed by any motor vehicle.

(2) No motor vehicle other than a registered trailer shall be drawn or towed by any other motor vehicle unless there is in the driver's seat of the motor vehicle being drawn or towed a person holding a licence authorising him to drive the vehicle or unless the steering wheels of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(3) When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed five metres. Steps shall be taken to render the tow rope or chain easily distinguishable by other users of the road, and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than 75 millimetres high and on a white ground the words «ON TOW»:

Provided that no person shall be liable to be convicted for the contravention of the sub-rule for failure to display the words «ON TOW» if the motor vehicle which is towing the other is not a motor

vehicle adapted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the breakdown and the nearest place on the route at which the necessary materials can be obtained.

(4) No motor vehicle when towing another vehicle other than a trailer or side-car shall be driven at a speed exceeding 25 kilometres per hour.

6.8 Traffic segregation.—Where any road or street is provided with footpaths, or tracts reserved for cycles or specified classes of other traffic, no persons shall, save with the sanction of a Police Officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such foot-path or track.

6.9 Projection of loads.—(1) No person shall drive, and no person shall cause or allow to be driven, in any public place any motor vehicle which is loaded in a manner likely to cause danger to any person or in such a manner that the load or any part thereof or anything extends:

- (a) laterally beyond the side of the body or beyond a vertical plane in prolongation of the side of the body;
- (b) to the front beyond the foremost part of the vehicle;
- (c) to the rear to a distance exceeding 1.2 metres beyond the rearmost part of the vehicle excluding any luggage carrier; and
- (d) in height by a distance which exceeds 3.4 metres from the surface upon which the motor vehicle rests.

(2) Clause (c) of sub-rule (1) shall not apply to goods motor vehicle when loaded with any pole or any projecting things so long as:

- (a) the projecting load falls within the limits of the body of a trailer being drawn by the goods vehicles; or
- (b) the distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed 1.8 metres; and
- (c) there is attached to the rear of such pole or other thing in such a way as to be clearly visible from the rear at all times a white circular disc of not less than 375 millimetres in diameter; and at night a lamp in addition to the prescribed lamps on the vehicle so arranged as to show a red light to the rear.

(3) The Registering Authority or any Gazetted Officer of Police may by order in writing exempt any motor vehicle, for such period and subject to such conditions as he may specify, from any or all of the provisions of this rule.

6.10 Carriage of dangerous substances.—(1) Except for the fuel and lubricants necessary for the use of the vehicle, no explosive, highly inflammable or otherwise dangerous substance shall be carried on any public service unless it is so packed that even in the case of an accident to the vehicle, it is unlikely to cause damage or injury to the vehicle or persons carried thereon.

(2) If in the opinion of a Police Officer not below the rank of Sub-Inspector any public service vehicle is at any time loaded in contravention of this rule,

he may order the driver or other person in charge of the motor vehicle to remove or repack the inflammable or dangerous substance.

6.11 Sound Signals.—(1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor vehicle is equipped, or shall cause or allow any other person to do so, continuously or to an extent beyond what is necessary to ensure safety.

(2) The District Magistrate may by notification published in the Official Gazette or in one or more newspapers circulating in the area in question, and by the erection in suitable places of traffic sign no. 7 as set forth in Part A of the Ninth Schedule to the Act, prohibit the use by drivers of motor-vehicle of any horn gong or other device for giving audible warning in any area during such hours as may be specified in the notification:

Provided that when the District Magistrate prohibits the use of any horn, gong or other device for giving audible warning during certain specified hours, he shall cause a suitable notice, in English and in the script of the district, to be affixed below the traffic sign setting forth the hours within which such use is prohibited.

6.12 Cut-outs.—No driver of a motor vehicle shall in any public place make use of any cut-out or other device by means of which the exhaust gases of the engine are released save through the silencer.

6.13 Restrictions on travelling backwards.—No driver of a motor vehicle shall cause the vehicle to travel backwards without first satisfying himself that he will not thereby cause danger or undue inconvenience to any person, or in any circumstances, for any greater distance or period of time than may be reasonably necessary in order to turn the vehicle round.

6.14 Use of lamps when a vehicle is at rest.—(1) If within the limits of any municipality or cantonment a motor vehicle is at rest within the hours during which lights are required, at the left hand side of any road or street or elsewhere or in any duly appointed parking place, it shall not be necessary for the motor vehicle to exhibit any light save as may be required generally or specifically by the District Magistrate.

(2) Outside the limits of a municipality or cantonment if a motor vehicle is at rest within the hours during which lights are required in such a position as not to cause danger or undue inconvenience to other users of the roads, it shall not be necessary for the motor vehicle to display any lights.

6.15 Dazzling lights.—(1) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle.

(2) The District Magistrate may by notification in the Official Gazette and by the erection of suitable notices in English and in the local script prohibit the use, within such areas or in such places as may be specified in the notification, of lamps giving a powerful or intense light.

6.16 Visibility of lamps and registration marks.—(1) No load or other thing shall be placed on any

motor vehicle so as at any time to mask or otherwise interrupt vision of any lamp, registration mark or other mark required to be carried by or exhibited on any motor vehicle by or under the provisions of the Act, unless a duplicate of the lamp or mark so masked or otherwise obscured is exhibited in the manner required by or under the Act for the exhibition of the masked or obscured lamp or mark.

(2) All registration and other marks required to be exhibited on a motor vehicle by or under the provisions of the Act shall at all times be maintained as far as may be reasonably possible in a clear and legible condition.

6.17 Stop sign on road surface. — (1) When any line is painted on or inlaid into the surface of any road at the approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects thereon that line at any time when a signal to stop is given by a police officer or by means of traffic-control lights or by the temporary display of sign no. 3 in Part A of the Ninth Schedule to the Act.

(2) A line for the purposes of this rule shall not be less than five centimetres in width at any part and shall be either in white, black or yellow.

Special rules applicable to trailers

6.18 Trailers prohibited with motor cycles. — (1) A motor cycle with not more than two wheels with or without a sidecar shall not draw a trailer.

(2) No motor cycle shall draw a trailer exceeding 227 kilograms in weight unladen or 1.5 metres in overall width.

6.19 Prohibition of attachment of trailer to certain vehicles. — No motor vehicle which exceeds 8 metres in length shall draw a trailer:

Provided that this rule shall not apply to any motor vehicle being towed in consequence of disablement.

6.20 Attendants on trailer. — (1) When a trailer is or trailers are being drawn by a motor vehicle there shall be carried in the trailer or trailers or on the drawing motor vehicle, as the case may be, the following persons, not being less than twenty years of age and competent to discharge their duties that is to say:

(a) if the brakes of the trailer or trailers cannot be operative by the driver of the drawing motor vehicle or by some other person carried on that vehicle —

- (i) one person on every trailer competent to apply the brakes and
- (ii) one person placed at or near the rear of the last trailer in train in such a position as to be able to have a clear view of the road in rear of the trailer, to signal to the driver of overtaking vehicles and to communicate with the driver of the drawing motor vehicles;

(b) if the brakes of the trailer can be operated by the driver of the drawing motor vehicle or by some other person carried on that vehicle, such other person in addition to the driver shall be carried on that vehicle and one person on the last trailer in train in accordance with the provisions of sub-clause (ii) of clause (a).

(c) if the trailer is or trailers are being drawn by a locomotive, notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the locomotive, not less than one person on each trailer and not less than two persons on the last trailer in train, one of whom shall be the person required by the provisions of sub-clause (ii) of clause (a).

(2) This rule shall not apply —

- (a) to any trailer having not more than two wheels and not exceeding 771 kilograms in weight laden when used singly and not in a train with other trailers;
- (b) to the trailing half of an articulated vehicle;
- (c) to any trailer used solely for carrying water for the purposes of the drawing vehicle when used singly and not in a train with other trailers;
- (d) to any agricultural or road making or road-repairing or road cleansing implement drawn by a motor vehicle;
- (e) to any trailer specially constructed or adapted for any purpose, upon which an attendant cannot safely be carried; or
- (f) to any closed trailer specially constructed for any purpose and specifically exempted from any or all of the provisions of this rule by an order in writing made by registering authority, to the extent so exempted.

6.21 Distinguishing mark for trailers. — (1) No person shall drive or suffer or cause to be driven in any public place any motor vehicle to which a trailer is or trailers are attached unless there is exhibited on the back of the trailer or of the last trailer in train, as the case may be, a distinguishing mark in the form set out in the diagram contained in the Third Schedule to these rules in white on a black ground.

(2) The mark shall be kept clean and unobscured and shall be so fixed to the trailer that —

- (a) the letter on the mark is vertical and easily distinguishable from the rear of the trailer;
- (b) the mark is either on the centre or to the right hand side of the back of the trailer; and
- (c) no part thereof is at a height exceeding 1.2 metres from the ground.

(3) This rule shall not apply to the cases referred to in clauses (a), (b), (c), (d) and (e) of sub-rule (2) of rule 6.20.

Special rule for locomotives

6.22 Attendant. — Every locomotive shall carry not less than one attendant, being a competent person of over twenty years in the management of the locomotive.

6.23 Crossing unmanned railway level crossing. — When a public service vehicle approaches an unmanned railway level crossing, the driver of the vehicle shall cause the vehicle to be stopped, and the conductor of the vehicle shall get down from the vehicle, see the railway track on both sides and ensure that it is clear, and shall then give a signal to the driver of the vehicle to cross the track:

Provided that the conductor shall not get into the vehicle until it has crossed the track.

CHAPTER VII

Halting of Motor Vehicles in Public Places: Control of Stands

7.1 Halting of stage carriages.—No stage carriage shall be halted in an urban area for more than five minutes consecutively for the taking up or setting down of passengers or at any time during the course of a run except at a stand.

7.2 Bus stops.—(1) The District Magistrate may direct that in any street or any road in an urban area notified by him in this behalf (the notification being made by public proclamation or in such other manner as the District Magistrate may deem fit) no stage carriage shall take up or set down passengers except at a place appointed by him as a bus stop or at a stand.

(2) No stage carriage shall be halted at a bus stop for longer than is necessary to take up such passengers as are waiting when the vehicle arrives and to set down such passengers as wish to alight.

7.3 Every stage carriage trip to be begun and ended at a stand.—(1) If the run of any stage carriage starts or finishes in an urban area it shall, unless the District Magistrate specially exempt the vehicle from the provision of this rule, be begun from or be ended at a stand.

(2) Where a stage carriage is exempted from the provisions of the preceding sub-rule which shall be a condition of the exemption that no passengers shall be taken up or set down, as the case may be, at any point within a distance of 183 metres or such other distance as may be named in the order of exemption from the place where the stage carriage is garaged or parked at the start or finish of the run.

(3) In exempting a stage carriage from the provisions of sub-rule (1) of this rule the District Magistrate may make it a condition that the first passengers shall be taken up, or the last passengers be set down, at a particular bus stop fixed for the purpose in the order of exemption.

(4) An order of exemption made under sub-rule (1) of this rule shall remain in force for one year or such lesser period as the District Magistrate may direct and may be cancelled or modified by him at his discretion at any time.

7.4 Stage carriages to be properly parked when not in use.—A State Transport Authority may attach to a stage carriage permit a condition that when the vehicle is not in use it shall not be halted in any public place except at a stand or at a parking place appointed by a competent authority under section 76.

7.5 Preceding rules not applicable to contract carriages.—Nothing in rule 7.1 or 7.3 or in any direction made under rule 7.2 shall apply to a stage carriage when it is being used under due authority as a contract carriage or as a vehicle for the carriage or goods without passengers, provided that a board had been affixed to the vehicle bearing the inscription «On contract» or «carrying goods only» (as the case may be) and provided particulars of the hiring have been entered in the log-book of the vehicle.

7.6 Halting of contract carriages.—A State Transport Authority may impose on the use of any con-

tract carriage, or any stage carriage when the same is being used as a contract carriage, a condition that the vehicle shall not be halted for more than ten consecutive minutes in any public place in an urban area save at a parking-place or in the case of a motor-cab a cab-rank duly appointed under section 76 or at a stand.

7.7 Parking places.—All District Magistrates in Goa, Daman and Diu are authorised, subject to the control of the State Transport Authority and after consultation with the Superintendent of Police and the local authority having jurisdiction in the area concerned, to make orders appointing parking-places for motor vehicles under section 76.

7.8 Cab-ranks.—(1) At every cab-rank appointed under section 76.

- (a) the drivers shall station their motor cabs in the rank in the order in which they arrive the motor cab which have been waiting longest being stationed in the front position, and the motor cabs been moved up as vacancies occur;
- (b) the drivers of the first two motor cabs shall stay by their vehicles ready to be hired by any person;
- (c) No motor cab engaged for some future time shall be kept in the rank unless the driver is willing to accept any intermediate hiring that may be offered; and
- (d) No disabled motor cab shall be kept in the rank unless the disablement can be and is intended to be remedied forthwith.

(2) The District Magistrate may in the case of any cab rank relax any or all of the direction in the preceding sub-rule.

(3) Nothing in sub-rule (1) of this rule shall render it obligatory on a person wishing to hire a motor cab from a cab rank to take the first cab or restrict his freedom to choose whichever vehicle he prefers.

7.9 Responsibility of driver, conductor and permit holder for securing compliance with these rules.—In so far as any rule in this Chapter, or any orders issued in conformity therewith, directs that a transport vehicle shall or shall not be halted in a certain place or in a certain manner, the rule shall be read as if it included provisions enjoying the driver and in the case of a stage carriage the conductor to ensure that it is so halted or not halted, and requiring the holder of any permit issued in respect of the vehicle to take all measures open to him to secure compliance with the direction.

7.10 Involuntary halts.—No person shall be liable to be punished for halting a vehicle in contravention of any of these rules if the stopping of the vehicle was occasioned by a mechanical defect or by any other cause beyond the control of the driver or person incharge:

Provided that the driver or other person incharge shall continue to be liable for contravening section 81 unless all practicable steps have been taken to dispose of the vehicle in such a way that it shall not cause danger, obstruction or inconvenience to other users of the road.

7.11 Prohibition on the use of horns. — Except to avoid an imminent accident no person shall sound the horn or other audible warning device of any motor vehicle within the limits of a stand, parking place or cab-rank.

7.12 Notification of stands. — (1) The District Magistrate may in consultation with the local authority having jurisdiction in the area concerned make an order in the prescribed form permitting any place to be used as a stand, and without such an order no place shall be so used:

Provided always that no place which is privately owned shall be notified as a stand save on application by or with the written consent of the owner.

(2) Every order made by a District Magistrate under the preceding sub-rule shall show clearly the site of stand which is allowed to be established, and shall be notified by publication in one or more newspapers circulating in the district or by such other means as the District Magistrate may consider appropriate.

(3) No place where —

- (a) arrangements are made for the issue of tickets to passengers, or
- (b) covered accommodation is provided for waiting passengers, or
- (c) agents are stationed to marshal waiting passengers.

shall be used for the taking up or setting down of passengers unless it has been duly notified as a stand under this rule.

7.13 Consideration governing the location of stands. — In deciding whether to grant permission for the use of any place as a stand the District Magistrate shall have regard to the following matters, namely, —

- (a) the interests of the public generally and the efficient organisation of motor transport;
- (b) the suitability of the site from the point of view of traffic control;
- (c) the avoidance of annoyance to persons living or having property in the locality;
- (d) the suitability of the site in relation to other stands in the same town;
- (e) any other considerations that may appear to be relevant.

7.14 Conditions applicable to stands. — (1) Every order permitting a place to be used as a stand shall be subject to the following conditions, namely: —

- (a) that the land and buildings of the stand shall at all times be kept clean and in a good state of repair;
- (b) that the stand shall be administered in a seemly and orderly manner;
- (c) that the person, company or authority permitted by the District Magistrate to use the place as a stand shall take all possible precautions to ensure that no breach of the Act or of these rules is committed in respect of any vehicle entering, or leaving or halting at the stand and that any such breach is reported to the nearest officer of police;
- (d) that a board shall be set up in a conspicuous position at the stand showing the fees payable (if an order has been made fixing

the fees) and that the full amount of fees due from the owners and drivers of vehicles shall be charged neither more nor less.

- (e) that weighing-machines shall be maintained at the stands for determining the weight of the goods to be carried by passengers in public vehicles or in the goods vehicles.

(2) In making an order permitting a place to be used as a stand the District Magistrate may further attach to it any one or more of the following conditions, namely, that the local authority or person authorised to administer the stand shall —

- (a) maintain such records as the District Magistrate may from time to time direct;
- (b) employ such staff at the stand as may be specified in order;
- (c) provide waiting-rooms for the largest number of passengers that may reasonably be expected to use;
- (d) provide suitable lavatories for both sexes;
- (e) provide rest-rooms for the drivers and conductors of the vehicles regularly kept at the stand;
- (f) provide an adequate supply of drinking-water for the passengers, drivers and all persons likely to be employed at the stand;
- (g) provide covered accommodation or other form of shelter for all the vehicles regularly kept at the stand or for such percentage of those vehicles as the District Magistrate may specify;
- (h) provide for the illumination of the stand at night;
- (i) provide, in a separate portion of the stand, facilities for washing and cleaning vehicles and for executing ordinary repairs;
- (j) provide toilet and refreshment facilities in keeping with the appropriate requirements of privacy and hygiene.
- (k) provide cloak-rooms containing wash-basins, water-taps, etc., for women passengers.

(3) With the approval of State Transport Authority the District Magistrate may attach to the order any other condition that may seem to him to be necessary to secure the efficient administration of the stand or otherwise to be in the public interest.

7.15. (1) When an order has been made permitting a place to be used for the establishment of a stand, the District Magistrate may enter into an agreement with any person, firm or company (hereinafter referred to as the «manager») to undertake the maintenance and management of the stand and to be responsible for the fulfilment of the conditions attached to the order of sanction and of all the provisions of the Act and these rules which may be applicable.

(2) It shall be a condition of every agreement made under the preceding sub-rule that the manager shall maintain accounts in English containing such particulars as the District Magistrate or any official or auditor appointed by him.

(3) Every such agreement shall further state whether the manager shall be entitled to retain the whole of the fees collected at the stand or whether some portion thereof or a consolidated sum in lieu shall be payable to the State Government.

(4) An agreement under sub-rule (1) of this rule may be so framed as to require the manager within

a certain time to erect specified buildings or carry out specified works on the site of the stand, or to fulfil any specified conditions of the kind described in sub-rule (2) or rule 7.14.

(5) Save with the approval of the State Transport Authority no agreement shall be made under sub-rule (1) with any person who has a financial interest direct or indirect in any of the vehicles likely to be kept at the stand and unless the person with whom the agreement is to be made agrees that he will employ in the working of the stand any person having such an interest.

7.16 Municipal stands.—(1) A local authority administering a stand shall maintain separate accounts of the income received and expenditure incurred in respect of it, and these accounts together with the accounts of any manager or contractor employed by the local authority in connection with the stand shall be subject to audit under arrangements made by the State Government and shall be open to inspection at all reasonable times by the District Magistrate and any official appointed for the purpose.

(2) It shall be a condition of every order permitting a place to be used as a site for a stand that the whole of the profit derived from the administration of the stand, after deducting such expenditure for the management, lighting and maintenance of the stand as may be incurred with the approval of the District Magistrate together with the deductions specified in the next following sub-rule, shall be devoted by the local authority to defraying the cost of new buildings and improvements at the stands of providing amenities for the drivers of vehicles or waiting passengers.

(3) In determining the amount to be expended by the local authority under the preceding sub-rules on new buildings, improvements and amenities, a deduction shall be made equal to—

- (a) the interest which the local authorities may actually be paying on any sum borrowed by it during the preceding twenty years for the purpose of acquiring land or buildings for the stand; or if the local authority has during the preceding twenty years expended capital of its own in acquiring land and buildings, a sum representing interest on that capital at the current bank rate;
- (b) any rent which may be due from the local authority to any person on account of the land and buildings included in the stand; and
- (c) such additional sum not exceeding three per cent of the gross receipt from fees as may be agreed between the District Magistrate under local authority.

(4) Save with the approval of the State Transport Authority the Local Authority administering a stand shall not entrust the management of the stand to, or permit to be employed in the working of the stand, any person who has a financial interest direct or indirect in any of the vehicles likely to be kept thereat.

7.17 Disposal of moneys accruing to Government.—Moneys accruing to the State Government from the administration of stands shall be devoted, subject to the vote of the Legislature, to—

(a) the carrying out of improvements and the provision and amenities at stands;

(b) the acquisition of sites for stands, or

(c) any other object which in the opinion of the State Government conduces to the welfare of persons employed in the motor transport industry and the travelling public.

7.18 Stands to be open to all transport vehicles.—No transport vehicle, the driver or person in charge of which offers to pay the proper fees shall be refused admittance to a stand unless the sanctioned accommodation at the stand is already fully occupied:

Provided that where the owner of any vehicle has been granted a licence for a stand or has been given permission to make use of a stand of his vehicle shall have no right of admission to any stand situated within five miles of that stand.

7.19 Company stands.—(1) Order permitting a place to be used as a stand shall specify clearly the area which may be so used.

(2) Save with the special permission of the State Transport Authority, no such order shall be made unless the person or company applying to use the place as a stand holds permits (being permits in the name of the person or company making the application) for not less than five transport vehicles.

(3) Before giving permission for the establishment of any stand the District Magistrate shall satisfy himself that the proposed site is not in such a location as would give the user an undue advantage over the owners of stage carriages operating in competition with him from the general stand or stands.

(4) No vehicles shall be admitted to any stands of other than vehicles in respect of which a permit is held by the person or company in whose name the stand has been sanctioned, together with any vehicles which may have been specially mentioned in the District Magistrate's order as entitled to use the stand.

7.20 Boundaries of stands to be demarcated.—The local authority or person entrusted with the administration of a stand shall erect and maintain to the satisfaction of the District Magistrate pillars or other marks of a permanent character clearly indicating the boundaries of the land included in the stands.

7.21 Prohibition on use of loud sounding devices at stands.—(1) No horn, gong, bell, whistle, gramophone, loud-speaker, musical instrument, or other device for creating loud noise shall be used to attract passengers to any stand.

(2) In the event of such use the manager and any contractor employed to administer the stand, and the owner, driver and conductor of the vehicle to which the sound was intended to attract custom, shall, in addition to the person who uses the instrument, be punishable for contravening this rule, unless he can show that the use of the instrument was without his consent.

7.22 Cancellation of orders for the establishment of stands.—(1) A District Magistrate may at any time revoke any order made by himself or any of his predecessors permitting the establishment of any stand if in his opinion any of the conditions of which the stand was permitted to be established have been contravened or the stand has not been satisfactorily managed or its continuance is no longer in the public interest.

(2) Before revoking any order under the preceding sub-rule the District Magistrate shall give the person authorised to administer the stand an opportunity of being heard, and shall record his reasons in writing.

(3) If an order permitting the establishment of a stand is not revoked under sub-rule (1) of this rule, it shall remain in force for three years or such lesser period as may be mentioned in the order and may be renewed from time to time by the District Magistrate for a further period of not more than three years.

7.23 Control over District Magistrate.— (1) Any person aggrieved by an order of the District Magistrate sanctioning the establishment of stand, or revoking or modifying an order permitting the establishment of a stand may within thirty-days of the receipt of the order, appeal to the Secretary to the Government, whose order, thereon shall be final and conclusive.

(2) Saving always the powers of the Commissioner as the authority appointed to hear appeals, the District Magistrates shall in all matters relating to the establishments of stands and the appointing of bus-stops be subject to the control of the State Transport Authority and shall comply with any particular or general instructions that may be issued by that Authority.

CHAPTER VIII

Insurance of Motor Vehicles against third party risks

8.1. The owner of a motor vehicle other than that to which sub-section (12) and sub-section (3) of section 95 applies shall, when applying for the payment of State Motor Vehicles Tax under section 4 of the Goa, Daman and Diu Motor Vehicles Taxation Act, 1965 along with his application, present or forward by post for the perusal of the Taxation Officer a certificate of insurance in form A as specified in the Schedule to this Rule showing that there is in force the necessary policy of insurance for the motor vehicle concerned.

THE SCHEDULE

Form A.

Motor Vehicles Act, 1939

Certificate of Insurance

(See rule 8.1 of the Rules)

Certificate No. Policy No. (Optional).

Certificate No. Policy No. (Optional).

1. Registration mark and number, or description of the Vehicles insured.
3. Effective date of commencement of insurance of the purposes of the Act.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.
6. Limitation as to use.

I/We hereby certify that the policy to which this certificate relates as well as this certificate of insurance are issued in accordance with the provision of Chapter VIII of the Motor Vehicles Act, 1939.

...
(Authorised Insurer)

8.2. The Motor Vehicles Reserve Fund shall be established and the contribution thereto shall be made at the rate of not less than Rs. 200/- per annum per vehicle by the authorities specified in section 94; provided that the contribution may cease

when the maximum limit of Rs. 800/- per vehicle is reached, but it shall again be continued at the aforesaid rate when the accumulation in the fund falls below the maximum as a result of withdrawals from the Fund.

8.3. Application for Compensation.— (1) An application for compensation arising out of an accident of the nature specified in sub-section (1) of section 110, shall be made in Form C. T. I. in duplicate and shall contain all the particulars specified therein.

(2) Upon receipt of an application in accordance with sub-rule (1) the Claims Tribunal shall appoint a date for hearing, giving the respondents not less than fifteen days' period and supplying them simultaneously a copy of the application or substance thereof.

(3) In the matter of fixing date for the hearing of parties and their witnesses, adjourning proceedings, and dismissing applications in default or for other sufficient reasons the Claims Tribunal shall so far as the nature of the case may require or permit, be guided generally by the principles for the time being observed by Civil Courts.

8.4. Procedure and Powers of Claims Tribunal.

(1) The provisions of section 75, 76, 77 and 78 of the Code of Civil Procedure, 1908 and of Schedule 1 Order XXV, to that Code, in respect of commissions shall apply in the case of proceedings before the Claims Tribunal.

(2) All evidence shall be heard or recorded in the presence of the insurer or the persons against whom claim is lodged and they shall be given a reasonable opportunity to cross-examine and produce defence, if any, except where they default when *ex parte* proceedings shall be taken.

(3) No person preferring a claim or against whom a claim is lodged shall be allowed to engage counsel.

Provided that in cases involving death or bodily injury causing permanent disablement such person may with the sanction of the Claims Tribunal be represented by counsel.

(4) The Claims Tribunal may summon the Director of Transport for advice in matters, of rules and other provisions, to assist the Claims Tribunal in holding the inquiry. The Claims Tribunal may also require the Investigation Officer to produce relevant record in cases in which any preliminary enquiries may have been made by him.

(5) The Claims Tribunal may, in its discretion, award to a witness attending on summons a sum on account of his expenses not exceeding the sum to which the witness would have been entitled for such an attendance in a Civil Court. The sum so awarded shall be included in the costs of the proceedings.

(6) In enforcing of the orders, the Claims Tribunal shall have all the powers in regard to contempt, resistance and the like which a civil Court may exercise in the execution of a decree.

8.5. Fees.— (1) Every application for the claim of compensation shall bear a Court fee stamp of Rs. 2.

(2) Any person connected with the case shall be entitled to obtain a copy of any document filed with the Claims Tribunal on payment of a fee at the rate of 50 paise per page of about 200 words.

FORM C. T. I.

[See Rule 8.3(1)]

To

The Chairman,

The

Tribunal,

Motor Accidents Claims

Residing at Applicant

versus

..... residing at
..... Respondent(s)

1. Vehicle's No. with date of accident.
2. Cause of accident with brief description.
3. Name and address of person with age, receiving bodily/fatal injuries.
4. Description of injuries.
5. Relationship of the applicant with deceased in case of fatal accident(s).
6. Monthly income/wages/earnings of the person receiving bodily/fatal injuries.
7. Manner in which deceased was/were employed at the time of accident.
8. Notice of the claim of compensation served on the vehicle owner/insurance company (Address of the vehicle owner/Insurance Company).
9. I/We, therefore, submit claim of compensation for Rs.

Applicant
(with complete address)

Receipt for claim of compensation

Book No. Receipt No. Register No.

Depositor

Deceased or injured person

Date of deposit

CHAPTER X

Motor Vehicles Department

10.1. The constitution of the Motor Vehicles Department shall consists of:

- (1) Director of Transport.
- (2) Assistant Director of Transport.
- (3) Inspectors of Motor Vehicles.
- (4) Assistant Inspectors of Motor Vehicles.
- (5) Clerks.
- (6) Peons.
- (7) Weigh Bridge Operators.

10.3. Duties, Powers and Functions of the Motor Vehicles Department:

(1) The Officers and the staff of the Motor Vehicles Department shall be responsible for the administration and enforcement of the provisions of the Act and Rules made thereunder and carry out such duties as may be assigned to them in that behalf by the Head of the Department.

(2) Any Officer of the Motor Vehicles Department of and above the rank of Assistant Inspector of Motor Vehicles shall exercise the powers under the provisions of Section 73, 86(2), 87(1) 88, 89(b), 90, 106(1), 106(3), 128, 129 and 129(a).

10.4. Performance of functions of Inferior Officers by Superior Officers.

Notwithstanding anything contained in these Rules —

(1) The Director of Transport may at any time perform any of the functions of the Assistant Director of Transport or Inspector of Motor Vehicles or Assistant Inspector of Motor Vehicles.

(2) The Assistant Director of Transport may at any time perform any of the Functions of an Ins-

pector or Assistant Inspector of Motor Vehicles under these Rules.

(3) An Assistant Inspector of Motor Vehicles may at any time, if so desired by the Director of Transport, perform any of the function of any Inspector of Motor Vehicles under these Rules.

10.5. Uniforms — (1) The uniform will be so designed that it does not get mistaken for or confused with uniforms used by the regular Police force.

(2) Every Inspector of Motor Vehicles and Assistant Inspector of Motor Vehicles shall while on duty wear the uniform and insignia specified in Appendix «A». The Inspector of Motor Vehicles shall wear two stars and the Assistant Inspector of Motor Vehicles shall wear one star.

(3) This uniform shall not be worn by the members of the staff at fancy dress balls, in dramatic performances, or other entertainments, nor it shall be lent for use to any person.

(4) No Officer of the staff required to wear a uniform while on duty, shall cause a vehicle to stop, keep it stationary, enter, travel, inspect or carry out any duty imposed by or under these rules unless he is in uniform.

APPENDIX «A»

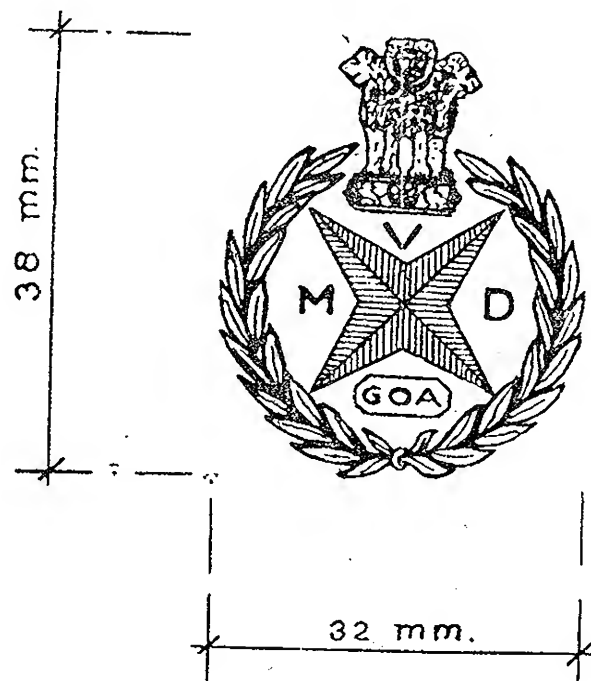
Uniform for the Officers of the Transport Department Enforcement Staff.

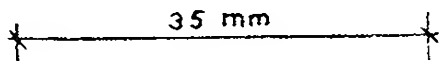
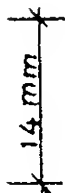
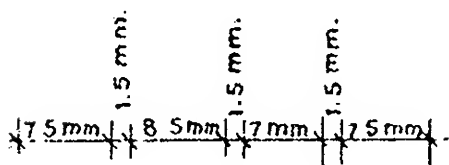
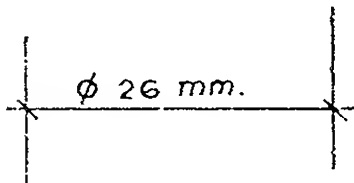
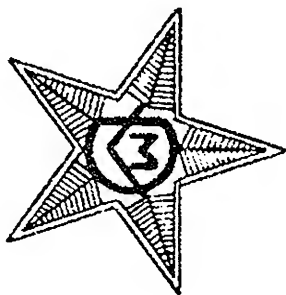
- (i) Slacks, Khaki drill.
- (ii) Bush-Shirt or shirt, (Khaki).
- (iii) Pea cap or Beret of navy blue colour.
- (iv) Whistle with cord.
- (v) A set of epauletters as illustrated.

INSIGNIA

APPENDIX 'A'

(Rule 10.5)





THE FIRST SCHEDULE

Registration marks to be assigned by the Registering Authorities for Goa, Daman and Diu

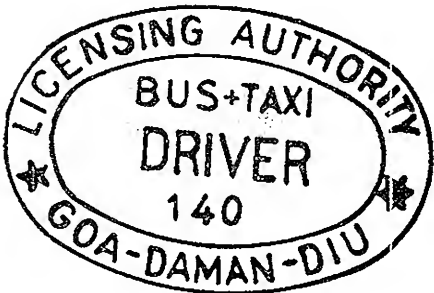
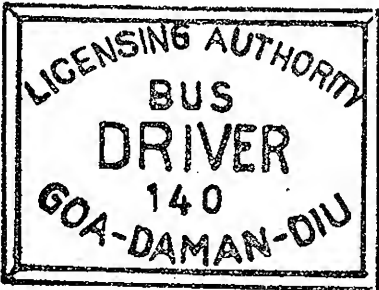
Registration marks to the vehicles shall be GDA, GDB, GDT and GDL.

THE SECOND SCHEDULE

Badges for drivers, conductors and ticket agents

Driver's badge

(See rule 4.48)



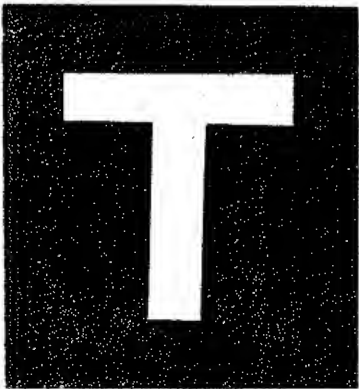
White metal of light weight (45 millimetres) in diameter. The words and the number to be engraved or embossed in blue.

Conductor's badge
(See rule 4.49)



White metal of a light weight (45 millimetres) in diameter. The words and the number to be engraved or embossed in blue.

THE THIRD SCHEDULE



FOURTH SCHEDULE

FORM L P S A

[Rule 2.2(v)]

Form of application for authorisation to drive a public service vehicle
To

The State Transport Authority ...

I apply for an authorisation to drive a public service vehicle within the Union Territory of Goa, Daman & Diu and forward herewith the driving licence held by me (No. ..., dated the ... issued by the Licensing Authority of ...).

Name of applicant ...

(In block letters or clear script)

Present address of applicant ...

Date ... 19...

Signature or thumb impression of applicant.

FORM F A B

[Rule 4.47 (1a)]

Form of Medical Certificate showing competence to undertake Firstaid Work.

I certify that ... aged about ... years is qualified to use the first-aid box.

(Dated)

Signature
Designation

FORM L P S

[Rule 2.2(vii)]

Form of intimation of grant of authorisation to drive
a public service vehicle

To

The Licensing Authority ...

An authorisation to drive a public service vehicle within the Union Territory of Goa, Daman & Diu has been issued by me on (date) ... in respect of driving licence No. ... dated the ... issued by you in favour of:—

Name of holder...

Father's name...

Present address of holder...

Date ... 19...

Licensing Authority,

FORM L L D.

[Rule 2.8(i)]

Intimation of loss or destruction of driving licence and
application for duplicate

To

The Licensing Authority ...

I ... of (permanent address) ... and present address ... (father's/husband's name) ... hereby report that driving licence No. ... issued by the Licensing Authority ... on or about the ... day of ... 19..., has been ^{lost *} destroyed * in the following circumstances:—

2. I hereby apply for a duplicate driving licence and tender five rupees by cash/money order/cheque/chalan.

3. I attach two clear copies of a recent photograph of myself.*

4. I further declare that my driving licence is not impounded by any authority.

5. I hereby declare that there have been ^{following *} no endorsement by the Court since the date of ^{last renewal *} grant.

Date of endorsement, Court, Offence, Punishment

Dated ... 19...

(Duplicate signature or thumb impression)

Signature or thumb impression
of applicant

(Duplicate signature or thumb impression)

(Duplicate signature or thumb impression)

For use in the office of the Licensing Authority

PART I

* Duplicate of driving licence No. ..., first granted on... has been issued by me this ... day of ... 19...

* Application refused in letter No. ... dated the ... to the applicant giving reasons.

Dated ... 19...

Licensing Authority ...

PART II

(Part II, III and IV will be printed on a separate sheet to Part I and will be used if the application is made to an authority other than the original licensing authority)

Forwarded to the Licensing Authority ... for verification and completion of Part III.

Dated ... 19

Licensing Authority ...

PART III

Returned to the Licensing Authority ...

The Photograph and ^{Signature *} ^{Thumb-impression} have been compared with my records. No such driving licence appears to have been issued by this Office. *

I am not satisfied that the applicant was the holder of the driving licence described. *

I am satisfied that the applicant was the holder of a driving licence issued by this office as follows:— *

- (1) Number ...
- (2) Date of issue ... 19
- (3) Last renewed by the Licensing Authority ...
- (4) Date of expiry ... 19 ...
- (5) Classes of vehicle. * *
- (6) The driving licence—

- (a) entitled the holder to drive as a paid employee. *
- (b) carried authorisation to drive a transport vehicle, granted by * ...
- (c) carried the following endorsements:—

Dated ... 19

Licensing Authority ...

PART IV

Returned to the Licensing Authority ..., for record.

A duplicate driving licence has been issued by me on the ... 19 ... *

and a copy of the photograph affixed thereto is attached. *

I have, in my letter No. ... dated the ... declined to issue the duplicate driving licence applied for and I attach a copy of that letters *

Dated ... 19

Licensing Authority ...

* Strike out alternative not required.

** Here fill in (a), (b), (c) etc., as specified in Section 8(2) of the Act.

FORM L Tem.

[Rule 2.11(i)]

Temporary Authorisation to Drive

I have taken possession of the driving licence hereunder described:—

Name of holder...

Father's name...

Present address...

No. of driving licence...

Issued by the Licensing Authority of ...

Date of expiry ... 19...

Entitling the holder to drive, as a paid employee/otherwise than as a paid employee* vehicles of the following Classes:—

- (a) Motor cycle.
- (b) Invalid carriage.
- (c) Light Motor Vehicle.
- (d) Medium Motor Vehicle.
- (e) Heavy Motor Vehicle.
- (f) Motor Vehicle of a specified description.

(1) Authorising the holder to drive a public service vehicle/goods vehicle* in ...

(2) The holder is hereby exempted from the obligation to produce his driving licence so long as he is driving in accordance therewith.

(3) This authorisation is valid until the ... day of ... 19..., or until the driving licence has been suspended or cancelled by competent authority, whichever is sooner.

Date ... 19...
* ...

The above authorisation is hereby extended up to the ... day of ... 19..., on the same conditions.

Date ... 19...
* ...

* Strike out if inapplicable.
* Signature and designation of the authority or Court granting the authorisation of extension.

FORM L Tem. (Police).

[Rule 2.11(ii)]

Goa Police

Book No. ...
Form No. ...

Police Station or Traffic Staff —

Cross reference in report from Registration No. of vehicle —

Number of permit and Regional State Transport Authority by which issued (in the case of transport vehicles only) —

Scene of offence, with date and time —

Offence (Section of law or rule, with particulars) —

Name of accused person —
Temporary and permanent address of accused person —

Whereas you are being prosecuted for the offence described above, you are required to attend the court of ... Magistrate, 1st Class, ..., at 10 a.m. on ... to answer the said charge unless otherwise ordered by the Court. Your driving licence No. ... has been taken into my possession in pursuance of sub-section (2) of section 129 of the Motor Vehicles Act, 1939. Until the licence is returned to you or the Court has otherwise ordered this acknowledgment shall serve as an authority enabling you to continue to drive on the same terms as are applicable to your licence.

(Date)
(Signature and designation)

M. V. Act, 1939

FORM L. Lr.

Form of learner's licence

[Rule 2-13 (i) (a)]

No. ... Date ...
Name ...
Present Address ...

Father's name ...
is licensed to drive as a learner, subject to the provision of rule a motor vehicle of the following description: —

This licence is valid up to the ... day of ... 196...

Signature or thumb impression of the holder.

Licensing Authority ...

Warning — The holder of this licence must, before attempting to drive, acquaint himself with the general provisions of the Motor Vehicles Act, 1939, and the Goa, Daman and Diu Motor Vehicle Rules, 1965. His attention

is, in particular, directed to Rule 2-13(i) of those rules, which prohibits him from driving any motor vehicle other than that specified herein and then only (except in the case of a two-wheeled motor cycle with or without a side-car attached) if he has besides him a person duly licensed to drive the vehicle and in every case the vehicle carries «L» plates.

P. T. O.

No. ... Date ...

This licence is hereby renewed up to the ... day of ... 19....

Licensing Authority ...

No. ... Date ...

This licence is hereby renewed up to the ... day of ... 19....

Licensing Authority ...

No. ... Date ...

This licence is hereby renewed up to the ... day of ... 19....

Licensing Authority ...

FORM L. Lr. A

[Rule 2.13(ii)]

Form of Application for Learner's Licence

I — Application

To
The Licensing Authority ...

I hereby apply for a licence authorising me to drive as a learner a vehicle of the following description: —

Motor Cycle/Motor Car/Delivery Van/Light Transport Vehicle/Heavy Transport Vehicle.

II — Particulars to be furnished by applicant

1. Full name of applicant ...
2. Full name of father/husband ...
3. Permanent address ...
4. Temporary address ...
5. Age at date of application ...
6. Particulars of any licence previously held

III — Declaration as to physical fitness of applicant

The applicant is required to answer "Yes or No" in the space provided opposite each question.

- (a) Do you suffer from epilepsy or from sudden attacks of disabling giddiness or fainting? ...
- (b) Are you able to distinguish with each eye at a distance of 25 yds. in good daylight (with glasses if worn) a motor car number plate containing seven letters and figures? ...
- (c) Have you lost either hand or foot or are you suffering from any defect in movement, control, or muscular power of either arm or leg?... ..
- (d) Can you readily distinguish the pigmentary colours red and green? ...
- (e) Do you suffer from night blindness?
- (f) Do you suffer from a defect of hearing?... ..
- (g) Do you suffer from any other disease or disability likely to cause your driving of a motor vehicle to be a source of danger to the public? If so, give particulars

I declare that to the best of my information and belief the particulars given in Section II and the Declaration made in Section III hereof are true.

Date ...
Signature or thumb impression of applicant.

FORM L E

[Section 19 of the Motor Vehicle Act, 1939 & Rule 2.15(i)]

Intimation by Court of Endorsement of Licence

Court of ..., Magistrate ... Class,

...

To

The Licensing Authority, ...

Licence No. ..., dated the ..., issued by you in favour of —
Name ...

Name of father ...

Permanent address ...

Present address ... has been endorsed by this Court as follows:—

Date of endorsement ...

Section ... of the Motor Vehicles Act, 1939, ... and rule ... of the ...

Punishment ordered by the Court ...

Magistrate ... Class,

...

(Date)

Copy forwarded to the Licensing Authority, ... by whom
the licence was last renewed on ... 19...

Magistrate ... Class,

...

FORM L R

[Section 11 (4) of the Motor Vehicles Act, 1939 Rule 2.15(ii)]

Intimation of Renewal of Licence

From

The Licensing Authority,

...

To

The Licensing Authority,

...

Licence No. ... dated ... issued by you in favour of
Name ...

Name of father ...

Permanent address ...

Present address ... has been renewed by me for a period
of twelve months with effect from the ... day of ... 19...

Licensing Authority,

...

FORM L Ad.

[Section 6(3) of Motor Vehicle Act, 1939 & Rule 2.15(iii)]

Form of intimation when an addition has been made by one
Licensing Authority upon a driving licence issued by another
Authority in respect of the classes of vehicle which the
holder is entitled to drive

From

The Licensing Authority, ...

To

The Licensing Authority, ...

Driving Licence No. ..., dated the ... issued by you in
favour of—

Name ...

Name of father/husband ...

Permanent address ...

Present address ... has, with effect from the ... day of
... 19..., been extended by me to entitle the holder to drive
the following additional class of vehicle, namely:—

Date ... 19...

Licensing Authority ...

FORM R. L. W.

[Section 23(3) of the Motor Vehicles Act, 1939 & Rule 3.1(ii)]

Application for assignment of a registered laden weight
To a goods vehicle

To

The Registering Authority,

...

I, ... at present residing or doing business at ... hereby
apply for the assignment of a registered laden weight to the
vehicle described below.

1. Registration mark ...

2. Name of authority by which the certificate of registra-
tion was issued ...

3. Year of first registration, if known ...

4. Unladen weight, if stated on the certificate of regis-
tration ...5. Load capacity, if stated in the certificate of registra-
tion ...

6. Maker's name ...

7. Maker's classification, if known and wheel-base ...

8. Whether fitted with auxiliary springs ...

9. Year of manufacture, if known ...

10. Chassis No. ...

11. Engine No. ...

12. Number, description and size of tyres ...

(a) Front axle ...

(b) Rear axle ...

(c) Any other axle ...

I hereby declare that the above particulars are to the best
of my knowledge and belief true and complete as possible.

(Date)

Signature or thumb-impression of applicant.

Certificate from maker or authorised dealer (1)

I hereby declare that to the best of my belief (2) the vehicle
described above is designed for a gross laden weight of ...
kgs.

(Date)

Signature of maker or dealer.

I have examined the vehicle. The particulars given by the
applicant are correct.

Inspector of Motor Vehicles,

(Date)

(1) The applicant is not bound to obtain and furnish this
certificate but he is advised to do so in his own interest if
he conveniently can.(2) If the certificate is granted by the maker, the words
"to the best of my belief" should be struck out.

FORM CFSub.

Rule 3.10(2)

Temporary Authorisation of use of vehicle when the certificate
of fitness has expired

The certificate of fitness (*) ...

...

Registration mark ...

Last renewed by ... on ... has expired.

I hereby authorise the use of the vehicle until the ... day
of ... 19, provided that it is forthwith removed with all
reasonable despatch to the area of the authority by whom
the certificate of fitness is due to be renewed.Provided also that, while being used under this authorisa-
tion, the vehicle shall not—

(a) carry more than ... persons excluding the driver: (†)

(b) carry any goods: (†)

(c) be driven at a speed in excess of ... miles per hour (†)

Dated at ...

§

on the ... day of ... 19

.....

* Here enter brief description of vehicle.

† Strike out if not required.

§ Signature and designation of authority.

FORM C. F. X.

Rule 3.11(1)

Refusal to renew a certificate of fitness

Registration mark ...
 Engine No. ...
 Chassis No. ...
 Make and model ...
 Type of vehicle ...
 Particulars of owner ...
 Date of inspection ...

The vehicle described above fails in our opinion to comply with the provisions of Chapter V of the Motor Vehicles Act, 1939, in that it exhibits the defects indicated below.

2. The certificate of fitness has accordingly been impounded.

3. The vehicle may be produced for re-examination on the ... 19 ... (or at any reasonable time at the owner's convenience). Until the certificate of fitness is returned the vehicle may be driven only to such an extent as may be necessary in connection with the remedying of the defect, and then subject to the condition that no passenger shall be carried therein for hire or reward and that no goods shall be carried other than goods required in connection with the repair of the vehicle.

(Date)

Inspector of Motor vehicles

DEFECTS

FORM C. R. Tem.

[Rule 3.14(1)]

Counterfoil

Book No. ...
 Serial No. ...

GOVERNMENT OF GOA, DAMAN AND DIU

Temporary Certificate of Registration
 Issued by ...
 Owner's Name and Address ...

Description of vehicle

Make ... H.P. ...
 Engine No. ... Ch. No. ...
 Type of body ...
 Colour ...

Temporary Registration Mark assigned to the Vehicle

Place in which the vehicle is to be permanently registered ...

Date of issue of Temporary Certificate ...

Valid up to the ...

TEMPORARY CERTIFICATE OF REGISTRATION

Foil B

Book No. ...
 Serial No. ...

GOVERNMENT OF GOA, DAMAN AND DIU

Temporary Certificate of Registration
 Issued by ...
 Owner's Name and Address ...

Description of vehicle

Make ... H.P. ...
 Engine No. ... Ch. No. ...
 Type of body ...
 Colour ...

Temporary Registration Mark assigned to the Vehicle

Place in which the vehicle is to be permanently registered ...

Valid for ten days from the ...

Copy forwarded to the District Magistrate ... for information.

(Date)

(Issuing Authority)

FORM C. R. L. D.

Rules 3.15(1) and 3.16(1)

Intimation of loss or destruction of certificate of registration or certificate of fitness and application for duplicate

To

The Registering Authority ...

The certificate of registration/fitness of my Motor Vehicle, the registration mark of which is ... has been lost/destroyed in the following circumstances:—

I hereby declare that to my knowledge the registration of the vehicle has not been either suspended or cancelled under any of the provisions of the Act or Rules made thereunder and I herewith deposit the fee of Rs. ... and apply for the issue of duplicate certificate of registration/fitness.

Date ... Signature or thumb impression of applicant.

Name and address {
 of the owner {

FORM R Tem.

Sect. 86 of M. V. A. 1939 and Rule 3.18(1)
 Receipt for certificate of registration and certificate of fitness of a transport vehicle

I have taken possession of the certificate of registration and the certificate of fitness hereunder described:—

1. Registration number ...

Engine number ...

Chassis number ...

Seating capacity including driver ...

Last date of expiry of the certificate of fitness ...

Name of holder ...

Father's name ...

Present address ...

2. The holder is hereby exempted from the obligation to produce his certificate of registration and the certificate of fitness.

3. This receipt is valid until the ... day of ... 19 ..., or until the licence has been suspended or cancelled by competent authority, whichever is sooner.

(Date)

(1) ...

The above receipt is hereby extended up to the ... day of ... 19 ... on the same conditions.

(1) ...

³Signature and designation of the authority granting or extending the receipt.

FORM HP Ter.

[Rule 3.21(2)]

Notice of termination of agreement of hire-purchase

To

The Registering Authority, ...

We the undersigned hereby request that the note endorsed on the certificate of registration, forwarded herewith, of vehicle No. (*) in respect of an agreement of hire-purchase between us, be cancelled.

Signature or thumb impression of registered owner.

Date ... 19...

Date ... 19...

Signature of other party.

* Here enter registration mark.

FORM T. O.

[Rules 3.21(3) and 3.22(4)]

Intimation of Transfer of Ownership of a Motor Vehicle

I (1) ... aged ... son/daughter/wife of * ... of (2) ... forward herewith the certificate of registration of motor vehicle No. ... (3) the ownership of which has been transferred to me by (4) ... and hereby request that the said vehicle may be registered in my name and that the certificate of registration be amended accordingly.

Signature or thumb impression of transferee

Dated ... 19...

Endorsement in the case of a vehicle which is the subject of an agreement of hire purchase

I/We * being a party to an agreement of hire purchase in respect of the vehicle specified above consent to the transfer of ownership of the said vehicle to (1) ... with whom I/we* have entered into an agreement of hire purchase in respect of this vehicle.

Signature of the hire purchase party:

Dated ... 19...

(* Strike out if not applicable)

FORM CRTI

[Rule 3.22 (2)]

Communication to Original Registering Authority of Transfer of Ownership of a Motor Vehicle

To

The Registering Authority, ...

Motor Vehicle No. ... (1) registered by you in the name of ... has, with effect from the ... day of ... 19..., been transferred to the name of ... (2) son/daughter/wife of ... of (3) ...

The other party to the hire-purchase agreement has consented to the transfer, and has entered into an agreement of hire-purchase in respect of the vehicle with the transferee (4).

Date ... 19...

Registering Authority, ...

- (1) Here enter registration mark.
(2) Here enter full name of the transferee.
(3) Here enter address of transferee.
(4) Strike out if inapplicable.

FORM R M A

[Rule 3.23(1)]

Intimation of change of State of residence and application for new registration mark

(Section 29, Motor Vehicles Act, 1939)

To

The Registering Authority, ...

I ... of ... being the owner of motor vehicle No. ... hereby declare that I have, since the ... day of ... 19..., kept the said motor vehicle in the State of ... and hereby apply for the assignment to the motor vehicle of a new registration mark.

I enclose the certificate of registration and the certificate of fitness* of the vehicle.

Date ... 19...

Signature or thumb impression of owner

* Strike out words «and the certificate of fitness» if inapplicable.

FORM R M I

[Section 29 of Motor Vehicles Act 1939 and Rule 3.23(2)]

Intimation of assignment of new registration mark and call for records from original authority

From

The Registering Authority, ...

To* ...

I hereby assign the registration mark ... to the motor vehicle previously registered as ...

The new mark shall, within ten days of the issue of this notice, be affixed to the vehicle in the place of the old and in the manner prescribed.

Date ... 19...

Registering Authority, ...

Copy forwarded to the Registering Authority, ... for information. The registration records of the vehicle or a certified copy of the same may be transferred to this office.

Date ... 19...

Registering Authority, ...

* Here enter full name and present address of owner.
If the vehicle is the subject of a hire-purchase agreement, a copy of this letter should be sent to hire purchase company concerned.

FORM T. C. A.

[Rule 3.26(2)]

Application for a trade certificate or certificates

To

The Registering Authority ...

I

We of ... being (a) manufacturer (s) of dealer (s) in motor vehicles, hereby apply for ... trade certificate which I/We declare to be bona fide necessary for the purpose of my/our business as herein stated, and I/We herewith tender the fee of ... rupees by my/our business is that ...

(Date)

Signature of applicant(s)

FORM T. C.

[Rule 3.26(5)]

Trade certificate

Counterfoil.

1. Trade registration mark as provided in rule 3.27(5).
2. Name and address of holder of the certificate.
3. Date of expiry.
4. Date of issue.
5. Signature of authority.



FORM T. C. R.

[Rule 3.26(10)]

Register of trade certificates

Record of the use of trade registration marks Nos. ...

Date	Final letter of mark used and registration mark in case of second-hand vehicle	Description of Vehicle	Purpose for which sent out	Driver's name	HOUR OF		Signature of holder of certificate or responsible agent.	Remarks
					Leaving premises	Returning to premises		
1	2	3	4	5	6	7	8	9

Note — Supplied of this register will not be printed and stocked by Government. Holders of trade certificate will make their own arrangement for printing.

FORM P St. P. A.

[Rule 4.8 (1) (a)]

Application for a permit in respect of a particular stage carriage
To

The Director of Transport.

In accordance with the provisions of sections 45, 46 and 57 of the Motor Vehicles Act, 1939, I/We the undersigned hereby apply for a permit under section 42 of that Act in respect of a stage carriage as hereunder.

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Route or area for which the permit is desired.
5. Brief (description) of vehicle (1) ...
6. Seating capacity.

7. A time-table ^{is appended} will be arranged with other operators on the route

(Alternatively).—No time-table is proposed but I undertake to run the following minimum service.

8. The standard rate of fare which it is proposed to charge is ... paise per passenger per kilometer.

9. Particulars of any stage carriage or contract carriage permit (or similar authorisation under the Indian Motor Vehicles Act, 1914), valid in the '[State]' and held by the applicant in respect of.

(a) this vehicle ...

(b) any other vehicle ...

Details of any route or routes over which this vehicle was operated regularly ...

.....
.....

¹ Here state date of manufacture, where bus type with side entrance or lorry types with entrance at rear and other relevant particulars.

² Substituted for the word "Province" by Adaptation of Laws Order, 1950.

10. Particulars of any permit or public motor vehicle licence held by the applicant in respect of the use of any transport vehicle in '[India]' during the last four years which has been the subject of an order of cancellation.

.....
.....

11. (i) I/We desire to use the vehicle for the carriage of goods as a public/private carrier and I/We apply for a public/private carrier's permit in addition to a stage carriage permit in respect of the route, routes or area above specified.
(ii) I/We intend to carry goods of the following description ...

12. I/We desire to use the vehicle as a contract carriage within the area specified below ...

.....

13. I am/We are already in possession of the vehicle which is my own property. (If the vehicle is not the property of the applicant, give particulars of the hiring agreement).

.....

14. I/We not have not yet obtained possession of the vehicle and I/we understand that the permit will not be issued until I/we have done so and have produced the certificate of registration.

15. I/We intend to drive the vehicle.

16. I/We desire a permit valid for ... years.

17. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

(Date)

Signature or thumb-impression of applicant.

...

To be filled in the office of the Regional Transport Authority.

1. Date of receipt.
2. Date of publication.
3. Date or dates of hearing of objections.

Granted

4. Granted in modified form on the ... day of ... 19 ...

Rejected

5. Number of permit issued.

Secretary,

State Transport Authority.

³ Strike out inapplicable entries or alternatives throughout.

FORM P St. S. A.

[Rule 4.8 (1) (b)]

Application for a permit in respect of a service of stage carriages
To

The State Transport Authority.

In accordance with the provisions of sections 45, 46 and 57 of the Motor Vehicles Act, 1939, I/We the undersigned hereby apply for a permit under section 42 of that Act in respect of a service of stage carriages as hereunder set out:—

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Route or area for which the permit is desired ...

5. Maximum number of vehicles which it is desired to operate at any one time under the terms of the permit ...

6. Minimum number of vehicles which will be operated at any one time under the terms ...

of the permit in the area or on any route or and part of any route, and the minimum number of daily vehicles trips ...

.....

7. The type or types of vehicle to be used on the service and the approximate seating capacity are.

... vehicles of not less than ... and not more than ... seats

... vehicles of not less than ... and not more than ... seats

... vehicles of not less than ... and not more than ... seats

... vehicles of not less than ... and not more than ... seats

8. Particulars of the time-table(s) proposed are appended.

9. The standard rate of fare which it is proposed to charge is ... Paise per passenger per kilometer.

10. Particulars of any stage or contract carriage permit (or similar authorisation under the Indian Motor Vehicles Act, 1914), valid, in the '[State]', held by the applicant, and details of the route over which or area in which the applicant's vehicles were regularly operated.

.....

11. Particulars of any permit or public motor vehicle licence held by the applicant in respect of the use of any transport vehicle in '[India]' during the last four years which has been the subject of an order of cancellation.

.....

.....

12. Provided that sufficient passengers do not offer at any time I/We desire to carry goods in these vehicles in addition to passengers on the understanding that goods will be so carried on not more than ... of the vehicle trips on any route on any one day and that not more than ... the accommodation for passengers in any vehicle will be replaced by goods.

13. $\frac{I}{We}$ declare that not more than ... of these vehicles are or will be the subject of permits (other than temporary permits) for use as contract carriages.

14. $\frac{I \text{ am}}{We \text{ are}}$ at present in possession of ... vehicles available for use under the permit applied for. The vehicles are my/our own property. (If the vehicles are not the property of the applicant, give particulars of the hiring agreement).

15. $\frac{I}{We}$ desire a permit valid for ... year.

16. $\frac{I}{We}$ hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to $\frac{me}{us}$.

(Date)

Signature or thumb-impression of applicant.

To be filled in the office of the ... State Transport Authority.

1. Date of receipt.
2. Date of publication.
3. Date or dates of hearing of objections.

Granted

4. Granted in modified form on the ... day of ... 19 ...

Rejected

5. Number of permit issued.

Secretary,
State Transport Authority.

¹ Substituted for the word "Province" by Adaptation of Laws Order, 1950.

² Substituted for the word «British India» by Act III of 1951.

FORM P. Co. P. A.

[Rule 4.8(1)(c)]

Application for a permit in respect of a particular contract carriage to be regularly so used

To

The State Transport Authority,
Director of Transport

In accordance with the provisions of sections 45, 49 and 57 of the Motor Vehicles Act, 1939, I the undersigned hereby apply for a permit under section 42 of that Act in respect of a contract carriage as hereinafter set out—

1. Full name ... Age ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Route or area for which required ...
5. The type of vehicle† ...
6. Approximate seating capacity:—Not less than ... and not more than ... seats.
7. Particulars of service to be performed by the contract carriage (not necessary in case of a motor cab), and the manner in which it is claimed that the public convenience will be served—

...
...
...

8. Particulars of any stage carriage or contract carriage permit valid in the State or any other and held by the applicant in respect of—

- (a) this vehicle ...
- (b) any other vehicles ...

† Here state whether single or double deck, fixed or hood only, glass windows or side curtains.

9. Particulars of any permit held by the applicant in respect of the use of any transport vehicle in any State during the last four years which has been the subject of an order of suspension or cancellation—

...
...
...

10. I enclose cash
cheque
money-order receipt
chalan for Rs. ... being the prescribed fee.

I am in possession of the vehicle the certificate of registration of which is enclosed.

11.

I have not yet obtained possession of the vehicle and I understand that the permit will not be issued until I have done so and have produced the certificate of registration and further declare that propose to purchase a vehicle manufactured in the year ...

12. I intend to drive the vehicle.

13. I desire a permit valid for ... years.

14. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me.

Dated ... 19...

Signature or thumb-impression of applicant.

Strike out inapplicable alternatives throughout

(To be filled in in the Office of the Transport Authority)

1. Date of receipt ...
2. Amount of rupees ... received, *vide* receipt No. ..., dated...
circulation to members
3. Date of consideration at meeting
decision by Chairman
Rejected
4. Granted in modified form on the ... day of ... 19...
Granted
5. Number of permit issued ...

...
Secretary,
State Transport Authority,
...

FORM P. Co. S. A.

Rule 4.8(1)(g)

Application for a permit in respect of one or more casual contract carriages

To be used in the case of a proprietor of a fleet of buses or cabs who wishes to have a permit for the occasional use of a bus or cab as a contract carriage beyond what is covered by Permit P. St. S. or by permit P. Co. P.)

To

The State Transport Authority ...

In accordance with the provisions of sections 45, 49 and 57 of the Motor Vehicles Act, 1939, I
we hereby apply for a permit under section 42 of the Motor Vehicles Act, 1939, in respect of a casual contract carriage or carriages as hereinafter set out:—

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Particulars of the number and types of vehicles for different areas or routes:—

No. of vehicles	Type	Approximate seating capacity	Area or route

5. Particulars of the service to be performed by the contract carriages and the manner in which it is claimed that the public convenience will be served:—

.....
.....

6. Particulars of any stage or contract carriage permit (or similar authorisation under the Indian Motor Vehicles Act, 1914) held by the applicant and valid in the province:—

.....
.....

7. Particulars of any permit (or similar authorisation under the Indian Motor Vehicles Act, 1914) held by the applicant in respect of the use of any transport vehicle in British India during the last four years which has been the subject of an order of suspension or cancellation:—

.....
.....

8. I
We enclose cash
cheque
money order receipt
chalan for Rs. ... being the prescribed fee.

9. I
We am in possession of the necessary vehicles which are covered for other uses by the permit specified below:—

.....
.....

10. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me
us

Date ... 19

Signature or thumb-impression of applicant(s).

Strike out inapplicable alternatives throughout

1. Date of receipt ...
circulation to members
2. Date of consideration at meeting
decision by Chairman
Granted
3. Granted in modification form on the ... day of ... 19 .
Rejected
- Number of permits ...

...
Secretary,
State Transport Authority.
...

FORM P. Pu. C. A.

Rule 4.8(1)(e)

Application in respect of public carrier's permit

To
The State Transport Authority
Director of Transport

In accordance with the provisions of sections 45, 54 and 57 of the Motor Vehicles Act, 1939, I, the undersigned, hereby apply for a public carrier's permit under section 42 of that Act as hereinafter set out:—

- 1. Full name ... Age ...
- 2. Name of father (in the case of an individual) ...
- 3. Address ...
- 4. The route, routes or area for which the permit is desired ...
- 5. The nature of goods proposed to be carried ...

5-A. Type and capacity of vehicles including trailer and alternative trailers of articulated vehicle:—

No. of vehicles	Type	Load capacity kgs.	Laden weight kgs.	Registration marks
1	2	3	4	5

Notes.— (1) If any of the vehicles is not in the possession of the applicant it will suffice if the figures in columns 3 and 4 are correct within ten per cent, above or below subject to any limitation of weight in force. The certificates of registration must be presented to the Transport Authority so that the Registration marks may be entered in the permit before the permit is issued.

(2) If the application is in respect of a larger number of vehicles than can be specified above, an additional schedule may be appended to the Form.

6. Particulars of the service to be performed by the vehicles and the manner in which it is claimed that the public need will be served:—

7. Whether applicant is a co-operative society, if so, state registration particulars, etc. ...

8. Arrangements made for the housing of the vehicle

9. Arrangements made for storage and safe custody of goods ...

10. Particulars of any public carrier's permit valid in the State and held by the applicant at present or at any time during the last two years and of the maximum and minimum rates charged for the carriage of goods thereunder:—

11. Particulars of any public carrier's permit, valid in any State and held by the applicant which has been the subject of any order of suspension or cancellation:—

12. Particulars, other than particulars furnished under item 7, of any agreement or arrangement affecting in any material respect the provision (within the region of the State Transport Authority) of facilities for the transport of goods for hire or reward, entered or proposed to be entered into by the applicant, with any other person by whom such facilities are provided whether within or without the region:—

13. (1) I desire to use the vehicle or vehicles as a private carrier for the carriage of goods which are my own property or the carriage of which is incidental to my business of

(2) The goods which I desire to carry as a private carrier are:—

14. I enclose

cash

cheque

money order receipt

challan

 for ... rupees being the prescribed fee.

15. I forward herewith the certificate of registration of the vehicle, or I will produce the certificate of registration of the vehicle before the permit is issued.

16. I desire a permit valid for ... years.

17. I hereby declare that the statements are true and agree that they shall be conditions of any permit issued to me.

Dated ... 19 Signature or thumb-impression of applicant,

Strike out inapplicable alternatives throughout

(To be filled in in the office of the Transport Authority)

- 1. Date of receipt ...
- 2. Amount of rupees ... received vide receipt No. ..., dated ...
- 3. Date of publication ...
- 4. Date or dates of hearing of objections, if any ...
- 5.

Granted

Granted in modified form on the ... day of ... 19

Rejected
- 6. Number of permit issued ...

Secretary,
State Transport Authority,
...

[Note.— If the particulars are extensive, append further statement].

FORM P. Tem. A.

Rule 4.8(1)(f)

Application in respect of a temporary permit

To
The State Transport Authority ...

In accordance with the provisions of sections 45 and 62 of the Motor Vehicles Act, 1939, ^I_{we} the undersigned hereby apply for a temporary permit under section 42 of that Act as hereinafter set out.

- 1. Full name ...
- 2. Name of father (in the case of an individual) ...
- 3. Address ...
- 4. Purpose for which permit is required:—

5. Route or routes ...

6. Period of duration of permit; from ... to ...

7. Type and

laden weight

seating capacity

 of the vehicle or vehicles for which the permit is required:—

8. (1) The registered owner (s) of the vehicle (s) ^{is}_{are} ... and the registration mark (s) ^{is}_{are} ...

... or
(2) The

vehicle has

vehicles have

 not yet been hired by ^{me}_{us} and

^I_{we} undertake to intimate the registration mark (s) if required within twenty-four hours of hiring the

vehicles

vehicle

.

9. ^I_{we} enclose

cash

cheque

money order receipts

challan

 for Rs. ... being the prescribed fee.

10. ^I_{we} hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to ^{me}_{us}.

Signature or thumb-impression of applicant (s).
Date ... 19

Strike out inapplicable alternatives throughout

(To be filled in in the office of the Transport Authority)

- 1. Date of receipt ...
- 2.

Granted

Granted in modified form on the ... day of ... 19

Rejected
- 3. Permit number ...
- 4. Registration mark (s) of vehicle (s), if intimated after issue ...

Secretary,
State Transport Authority,
...

FORM P. Pr. C. A.

[Rule 4.8(1)(d)]

Application in respect of a Private Carrier's Permit

To

The
State Transport Authority
Director of Transport

....
In accordance with the provisions of sections 45, 52 and 57 of the Motor Vehicles Act, 1939, I, the undersigned, hereby apply for a private carrier's permit under the provisions of section 42 of that Act as hereunder set out:—

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. The area for which the permit is desired ...
....
5. Type and capacity of vehicles including trailers and the alternative trailers of articulated vehicles:—

No. of vehicles	Type	Load capacity kgs.	Laden weight kgs.	Registration marks
1	2	3	4	5

Notes. — (1) If any of the vehicles is not in the possession of the applicant it will suffice if the figures in columns 3 and 4 are correct within ten per cent, above or below, subject to any limitation of weight in force. The certificate of registration must be presented to the Transport Authority so that the Registration marks may be entered in the permit before the permit is issued.

(2) If the application is in respect of a larger number of vehicles than can be specified above, an additional schedule may be appended to the same Form.

6. The nature of the applicant's business ...
....
7. Specification of the goods to be carried ...
....
8. Particulars of any other private carrier's permit held by the applicant ...
....

I enclose cash cheque money order receipt chalan for Rs. ... being the prescribed fee.

10. I desire a permit valid for ... years.

11. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me.

Signature or thumb-impression of applicant.
....

Dated ... 19 ...

Strike out inapplicable alternatives throughout

(To be filled in the office of the State Transport Authority)

1. Date of receipt ...
2. Amount of rupees ... received, vide receipt No. ... dated ...
circulation to members
3. Date of consideration at meeting
decision by Chairman
4. Granted in modified form on the day of 19 ...
Granted
Rejected
5. Number of permit issued ...

Secretary,
State Transport Authority,
....

FORM P. St. P.

[Rule 4.8(1)(a)]

Permit in respect of a particular stage carriage

PART «A»

P. St. P. (No.) ...

- ... (1) Transport Authority ...
1. Name of holder ...
 2. Father's name ...
 3. Address ...
 4. (a) Registration mark ...
(b) Registration mark of reserve vehicle, (if any) ...
 5. Number of passenger's seats ...
 6. Whether persons may be carried standing in the vehicle, and, if so, their number and subject to what conditions ...
 7. Route/Area (3) for which the permit is valid ...
 8. Date of expiry ...
 9. Rate of fares ...
 10. Particulars of time-table to be observed ...
 11. Whether goods may be carried solely or in addition to passengers and their personal luggage, and conditions subject to which the goods may be so carried ...
 12. The vehicle above described may be used by the holder of this permit as a contract carriage within the areas hereunder specified and subject to the following conditions ...
 13. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of Section 59 of the Act:

- (a) Fares table and time tables of the routes and approved by the Regional Transport Authority shall be exhibited on the vehicle and on the stands and halts specified below ...
- (b) The Regional Transport Authority may after giving notice of not less than one month—
(i) vary the condition of the permit;
(ii) attach to the permit further conditions.
- (c) Arrangement stated in the application for housing, maintenance and repair of the vehicle and for storage and safe custody of luggage and goods will be maintained.
- (d) The records to be maintained and the dates on which returns are to be made to the Transport Authority ...
- (e) Any other conditions:
....
....
....

14. This permit shall, to the extent specified in entry 11 above, be deemed to be a public carrier's permit.

15. This permit shall, to the extent specified in entry 12 above, be deemed to be a contract carriage permit (1).

16. Under the provisions of rule 82, this permit is valid also in the regions and subject to the conditions set out below:

Region	1 Route/Area	Conditions.

Dated ... 19...

Secretary,
... Transport Authority,
....

(1) Strike out if inapplicable.

Renewals

This permit is hereby renewed up to the ... day of ... 19...
Subject to the following further conditions:—

It is effective also upto the date above written and subject to any conditions attached to the previous countersignature in the following regions ...

Dated ... 19...

Secretary,
... Transport Authority,
....

5. Date of expiry ...

6. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act...

7. Any other conditions ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewals.

Renewed up to ... 19 .

Secretary,
... Transport Authority,
...

Countersignature.

... Transport Authority, ... P. St. S. (No.) ...
Countersigned: ...
Subject to: ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewal of countersignature.

Countersignature renewed up to ... 19 .

Secretary,
... Transport Authority,
...

Dated ... 19 .

* One copy of the summary to be issued for each vehicle covered by the permit.

† Here enter the number of the permit and in brackets, the serial number up to total number of vehicles.

FORM P. Co. P.

[Rule 4.9(1)(c)]

Permit in respect of a particular contract carriage

PART A

P. Co. P. (No.) ...

... * Transport Authority ... †

1. Name of holder ...
2. Father's name ...
3. Address ...
4. (1) Registration mark ...
5. Maximum number of passengers permitted to be carried...
6. Route/Area, for which the permit is valid ...
7. Date of expiry ... 19 .
8. Rate of fare per mile km. ...
9. Whether a taximeter is to be fitted and (if so) the type (in case of motor cab only) ...
10. This permit shall be subject to the following conditions in addition to the conditions laid down in sub-section (3) of section 59 of the Act ...

(a) The Regional Transport Authority may, after giving notice of not less than one month:—

- (i) vary the conditions of the permit;
- (ii) attach to the permit further conditions.

(b) The Records to be maintained and the date on which returns are to be made to the Transport Authority:

(c) Any other conditions ...

11. This permit does not entitle the holder to use the vehicle herein described as a stage carriage or as a goods vehicle for hire.

12. Under the provisions of rule 82, this permit is valid also in the regions and subject to the conditions set out below:—

Region	Route/Area	Conditions

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewals

This permit is hereby renewed up to the ... day of ... 19 . subject to the following conditions:—

It is effective also up to the date above written and subject to any conditions attached to the previous countersignature in the following regions:—

Secretary,
... Transport Authority,

Dated: ... 19 .

Countersignature

... Transport Authority, ...

P. Co. P. (No.) ...

Countersigned for Route/Area: ...
Subject to the following variation of conditions: ...

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewal of countersignature

The above countersignature is hereby renewed up to the ... day of ... 19 , subject to the following conditions:—

Secretary,
... Transport Authority,

Dated: ... 19 .

Summary to be exhibited on the vehicle

PART «B»

... Transport Authority ...
Particular Contract Carriage Permit P. Co. P. (No.) ...

1. Name of holder: ...
2. Registration mark: ...
3. Route/Area: ...
4. Date of expiry: ... 19 .
5. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
6. Any other conditions: ...
7. Fare ... per mile km.
8. Type of taximeter, if any: ...

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewal

Renewed up to ... 19 .

Secretary,
... Transport Authority,

Dated: ... 19 .

Countersignature

... Transport Authority, ...

P. Co. P. (No.) ...

Countersigned for ...
Subject to: ...

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewal of countersignature

Countersignature renewed up to ... 19 .

Secretary,
... Transport Authority,

Dated: ... 19 .

* Here enter «State» or the name of the region, as the case may be.
† Here enter the name of the State.

FORM P. Pr. C.

[Rule 4.9(1)(d)]

Private carrier's permit

PART «A»

... Transport Authority ...

No. P. Pr. C. ...

1. Name of holder...
2. Father's name (in the case of an individual) ...
3. Address ...

4. Area for which permit is valid ...
With the exception of the following roads ...
5. Type and capacity of vehicles, including trailers and the alternative trailers of articulated vehicles: —

Number of vehicles	Type	Load capacity lbs.	Laden weight	Registration marks
--------------------	------	--------------------	--------------	--------------------

6. Nature of goods to be carried.
...
...
7. Date of expiry ... 19 .
8. Records to be maintained and the date on which returns are to be made to the Transport Authority. .
...
...
9. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
10. Any other conditions: ...
...
...
11. Under the provisions of rule 83, this permit is valid also in the regions and subject to the conditions set out below:

Regions	Route/Area	Conditions
---------	------------	------------

Secretary,
... Transport Authority,
...
(Date)

Renewals
Renewed up to ... 19 , subject to ...
Secretary,
... Transport Authority,
...
(Date)

Countersignature
... Transport Authority, ...
P. Pr. C. (No.) ...
Countersigned for the Area of ... subject to the following variation or conditions ...
...
...
...

Secretary,
... Transport Authority,
...
Dated ... 19...

Renewal of countersignature
The above countersignature is hereby renewed up to the ... day of ... 19..., subject to the following conditions:
...
...
...

Secretary,
... Transport Authority,
...
Dated ... 19...

PART «B»
Summary to be exhibited on each vehicle
... Transport Authority, ...
Private carrier's permit P. Pr. C. (No.) ... (*)
1. Name of holder: ...
3. Area: —
...
...
4. Date of expiry: ... 19...
5. Nature of goods: —
...
...

6. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
Other conditions: —
...
...
...

Secretary,
... Transport Authority,
...
(Date)

Renewals
Renewed up to ... 19 , subject to
...
...
Also valid in ...
Secretary,
... Transport Authority,
...
(Date)

Countersignature
... Transport Authority
P. Pr. C. (No.) ...
Countersigned for the region of ... Subject to ...
Secretary,
... Transport Authority,
...
(Date)

Renewal of countersignature
Countersignature renewed up to ... 19 .
Secretary,
... Transport Authority,
...
(Date)

(1) Here enter Permit No. and serial numbers up to total. Add the letter «T» in the case of these copies referring to trailers.

FORM P. Pu. C.
[Rule 4.9 (1) (e)]
PART «A»
Public carrier's permit

... Transport Authority, ...
P. Pu. C. (No.) ...
1. Name of holder ...
2. Father's name ...
3. Address ...
4. Route/Area for which permit is valid ...
5. Type and capacity of vehicles, including trailers and the alternative trailers of articulated vehicles: —

Number of vehicles	Type	Load capacity [Kgs.]	Laden weight [Kgs.]	Registration marks
--------------------	------	----------------------	---------------------	--------------------

6. Date of expiry ... 19 .
7. Nature of goods to be carried ...
a) The records to be maintained and the dates on which returns are to be made to the Transport Authority:—
b) Arrangements stated in the application for housing maintenance and repair of the vehicles and for storage and safe custody of goods will be maintained ...
c) The Regional Transport Authority may, after giving notice of not less than one month.
i) vary the conditions of the permit,
ii) attach to the permit further conditions.
d) Any other conditions ...
8. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of section 59 of the Act ...

9. The vehicle (s) authorised by this permit may be used by the holder as a goods vehicle otherwise than for hire within the area of ... for the purpose of carrying the following goods ...

10. Under the provisions of rule ...* this permit is valid also in the regions and subject to the conditions set out below: —

Region	Route	Conditions
	Area	

Secretary,
... Transport Authority,

Renewal

Renewed up to ... 19 , subject ...
Also valid in ...

Secretary,
... Transport Authority,

(Date)

Countersignature

... Transport Authority.

P. Pu. C. (No.) ...

Counter signed for the area of ... subject to ...

Secretary,
... Transport Authority,

(Date)

Renewal of countersignature

The above countersignature is hereby renewed up to the ... day of ... 19...

Subject to the following conditions: ...

Secretary,
... Transport Authority,

(Date)

PART «B»

Summary to be Exhibited on the vehicle

... Transport Authority ...

Public Carrier's permit P. Pu. C. (No.) ... (*)

1. Name and address of holder ...
2 Registration mark ...
3. Route/Area ...

4. Date of expiry ...

5. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.

6. Any other conditions ...

7. Also as a goods vehicle otherwise than for hire for ... in area of ...

Secretary,
... Transport Authority,

(Date)

Renewal

Renewed up to ... 19 , subject to ...

Also valid in ...

Secretary,
... Transport Authority,

(Date)

Countersignature

... Transport Authority ...

P. Pu. C. (No.) ...

Countersigned for the region of ... subject to ...

Secretary,
... Transport Authority,

(Date)

Renewal of countersignature

Countersignature renewed up to ... 19...

Secretary,
... Transport Authority,

Dated ... 19...

* Enter relevant rule here.

FORM P. Tem.

[Rule 4.9(1)(f)]

Temporary permit

... Transport Authority ...

P. tem. (No.) ...

1. Name of holder ...
2. Father's name ...
3. Address ...
4. Type of vehicle ...
5. (1) Registration mark
(2) Seating capacity
(3) Laden weight

Note — If (1) is filled in, (2) and (3) may be struck out. Otherwise (2) and (3) must be filled in (1).

6. Purpose of journey or journeys ...
7. Nature of goods to be carried ...
8. Date of expiry ... 19 ...

9. Under the provisions of sub-section (4) of section 63 of the Act, and with the particular/general consent of the Transport Authority concerned this permit is valid also in the following regions:

(1) ...
(2) ...
(3) ...
(4) ...

Secretary,
... Transport Authority,

(Date)

Countersignature, if necessary

... Transport Authority, ...

P. Tem. (No.) ...

Countersigned for the region of ... subject to the following conditions ...

Secretary,
... Transport Authority,

(Date)

Not on Form P. Tem — A temporary pedmit can be carried onthe on the vehicle in original. Entry No. 7 of Form P. Tem. A contemplates application for more than one vehicle e.g., four buses for a marriage party. A separate permit must be granted for each.

FORM P. Co. S.

[Rule 4.9(1)(g)]

Permit in respect of one or more casual contract carriages

PART «A»

... Transport Authority, ...

P. Co. S. (No.) ...

1. Name of holder ...
2. Father's name ...
3. Address: ...

4. Route/Area for which permit is valid ...
...
5. The type or types of vehicles to be used as casual contract carriages and the () seating capacity ...
... vehicles of ... seats ...
... vehicles of ... seats ...
... vehicles of ... seats ...
... vehicles of ... seats ...
6. Date of expiry ... 19 .
7. Whether taximeter is to be fitted and if so, the type:
...
...
8. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of section 59 of the Act:—
(a) The records to be maintained and the date on which returns are to be made to the Transport Authority:—
(b) The Regional Transport Authority after giving notice of not less than one month:—

(i) vary the conditions of the permit.
(ii) attach to the permit further conditions.
(c) Any other conditions:
...
...
...
...
9. This permit does not entitle the holder to use any vehicle as a stage carriage or as a goods vehicle for hire.

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewals.

Renewed up to ... 19 , subject to ...

Also valid in ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Countersignature.

... Transport Authority ...

P. Co. S. (No.)

Countersignature for the region of ...
Subject to: ...

...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewal of countersignature.

The above countersignature is hereby renewed up to the ... day of ... 19 , subject to the following conditions: ...
...
...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Summary to be exhibited on the vehicle

PART «B»

... Transport Authority ...

Contract carriage Service Permit P.
Co. S. (No.) ...

1. Name of holder ...
2. Type of vehicle ...

3. Seating capacity: Not less than ... seats and not more than ... seats.
4. Route/Areas ...
...
...
5. Date of expiry ... 19 .
6. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
7. Any other conditions ...
...
...
...

8. Type of taximeter, if any ...
...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewal

Renewed up to ... 19 .

Secretary,
... Transport Authority,
...

Dated ... 19 .

Countersignature

... Transport Authority ...

P. Co. S. (No.) ...

Countersigned for: ...

Subject to: ...
...
...
...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewal of countersignature

Countersignature renewed up to ... 19 .

Secretary,
... Transport Authority,
...

Dated ... 19 .

* Here enter the number of the permit and in brackets the serial number up to the total number of vehicles.

FORM L. Con.

[Rule 4.47(1)]

Government of Goa, Daman and Diu

Serial No. ...

Per. No. ...

Date ...

Conductor's licence

(Name) ..., son of ... of (present address) ... (permanent address) ...

Photograph

Duplicate signature
or thumb-impression
of applicant, from
Form L. Con. A.

Is licensed as a conductor and has been issued conductor's badge No. ...

(Date)

Licensing Authority,
...

FORM L. CON. A

[Rule 4.47(4)]

Form of Application for a Conductor's Licence

1. Name ...
2. Name of Father ...
3. Present Address ...
4. Permanent Address ...
5. I have Not previously held a conductor's licence
previously held a conductor's licence issued by
6. I am not disqualified for holding a conductor's licence
7. I hereby declare that I am not less than eighteen years of age and that the above statements are true. I attach two copies of a recent photograph of myself.

(Date)

(Signature or thumb-impression of applicant)

Duplicate signature of thumb-impression of applicant

Licence No. ... (expiring on the ...) and Badge No. ... issued.

Licensing Authority

FORM M. C. Con.

[Rule 4.47(5)]

Form of medical certificate for a conductor

(To be filled in by a registered medical practitioner)

1. Name of person examined ...
2. Father's name ...
3. Apparent age ...
4. Is the person examined, to the best of your judgement, fit physically and mentally to perform the duties of a conductor of a stage carriage?
5. Does he show any evidence of being addicted to the excessive use of alcohol or drugs?
6. Marks of identification

I certify that the person examined has affixed his signature or thumb-impression here to in my presence and that to the best of my knowledge and belief the above statements are true and that the attached photograph is a reasonably correct likeness of the person described.

Signature or thumb-impression of person examined

Space for photograph

Name ...

Signature ...

Designation ...

FORM S. P.

[Section 63(6) of M. V. A. 1939]

Special permit No.

(Issued under Section 63(6) of the Motor Vehicles Act, 1939)

Office of the State Regional Transport Authority

(i) Engine No. ...

(ii) Chassis No. ...

(iii) Registration No. ... registered by the Registering Authority ... and owned by ... son of ... (Permanent address) ... covered by permit No. ... dated ... issued by the State/Regional Transport Authority ... has been engaged by the person/persons, whose particulars are given below:—

Full name and name of father or husband Age Place of residence

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Full name and name of father or husband Age Place of residence

- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.

The above person/persons will be visiting following places:—

...

...

...

This permit is valid up to ...

Certified that in respect of the vehicle mentioned above, all taxes and fees payable in this State up to the date of expiry of this permit have been paid.

This permit is valid throughout India without countersignature by any other Regional/State Transport Authority. It shall be produced on demand by any police officer in uniform [or any officer of the Excise and Taxation Department not below the rank of Taxations Sub-Inspector].

Signature of the issuing authority.

The validity of this permit is extended up to During this period the party may visit the following places also.

...

...

...

Signature of the Competent Authority.

Notes. — (1) The period of validity of the permit shall not exceed three months. Extensions may be granted for a maximum period of one month.

IMPORTANT

The issuing authority may please cross out all the blank columns not utilised.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. C. Sharma

Chief Secretary

Panjim, 16th March, 1965.

Notification

HD.25-1299/65

In exercise of the powers conferred under section 15 of the Goa, Daman and Diu Motor Vehicles Taxation Act, 1965, and all other powers enabling him in that behalf, the Administrator of Goa, Daman and Diu, hereby makes the following Rules, namely:

The Goa, Daman and Diu Motor Vehicles Taxation Rules, 1965

In exercise of the powers conferred by section 15 of the Goa, Daman and Diu Motor Vehicles Taxation Act 1965 the Lt. Governor of Goa, Daman and Diu hereby makes the following Rules:—

1. (a) These Rules may be called the Goa, Daman and Diu Motor Vehicles Taxation Rules, 1965.

(b) They shall come into force on the 22nd day of March, 1965.

2. In these Rules:

(a) «the Act» means the Goa, Daman and Diu Motor Vehicles Taxation Act 1965.

(b) «Form» means a Form appended to these Rules.

(c) «Government» means the Government of Goa, Daman and Diu.

(d) «Licencing Officer» means any person appointed as such by the Government.

(e) «Section» means a section of the Act; and

(f) «State» means the Union Territory of Goa, Daman and Diu.

3. (1) Under sub-section (i) of section 4 every person who keeps a motor vehicle for use shall fill up and sign a declaration in Form 1. The Form may be sent by registered post or may be presented in person or by an agent to the Licencing Officer.

(2) Any person, who having delivered a declaration, becomes liable to a further tax by reason of any change in the character of any motor vehicle, kept by him for use, shall fill up, sign and deliver an additional declaration under section 5 in Form I.

(3) The Licencing Officer, on receiving information that any person keeps a motor vehicle for use, may require him to sign, fill up and deliver the Form of declaration and may serve upon him a special notice in Form II. This notice may be sent to the person by post or may be served upon him in person, or, if service cannot be made upon him in person, upon any adult male member or a servant of his family. If the notice cannot be served in the manner aforesaid, it may be served by affixing it to some conspicuous part of his place of residence or business or in such a manner as the Licencing Officer may think fit.

(4) Forms of declaration can be obtained from the Licencing Officer.

4. (1) The following classes of persons or of vehicles are exempted from the liability to pay the whole or part of the tax under the Act, to the extent indicated against each —

(i) Motor vehicles owned and kept for use by departments of the Central or State Governments Whole.

Provided that this exemption shall not apply to motor vehicles belonging to the Central Government Railways operating for commercial purposes.

(ii) Motor Vehicles owned and kept for use by any local authorities situating within the State Whole.

(iii) Motor vehicles owned by the manager of a school and kept for the sole use of conveying pupils to and from the school Whole.

(iv) Motor vehicles classed as Ambulances owned by the authorities of hospitals and kept for the sole purpose of conveying patients to and from the hospital Whole.

(v) Motor vehicles temporarily brought into the State and kept for use therein for a period not exceeding thirty days Whole.

(vi) Motor vehicles in respect of which any reciprocal arrangement relating to taxation has been entered into between Government and any other State Government exemption in accordance with the terms and conditions of such reciprocal arrangement.

(vii) Motor vehicles imported under Triptyque or Carnet de Passage and temporarily brought into the State Total exemption for the first thirty days of their stay in the State.

(viii) Motor vehicles exempted under the Auxiliary Force Act, 1920 or any other law for the time being in force relating to the Armed Forces Whole.

(ix) Motor vehicles used on the authority of the trade certificate and for one of the purposes mentioned in the Rule 3.27 of the Goa, Daman and Diu Motor Vehicles Rules, 1965 Whole.

(x) Motor vehicles other than transport vehicles brought permanently in the State Total exemption for the quarter during which any such vehicle is so imported provided that it has been taxed for the same quarter in any other State in India.

(2) A person (other than a department of the Central or State Government) who is wholly exempt from liability to pay the tax under this Rule must nevertheless fill in and deliver the Form of Declaration and obtain a licence unless he is exempt under clause (v) of this Rule.

(3) No person shall be entitled to exemption under clause (v) unless he has paid tax to the Government of another State or Union Territory for the period for which exemption is claimed.

5. (1) In calculating the period during which, for the purpose of sub-section (2) of Section 13, the motor vehicle was not used, regard shall be had only to complete quarters during which it was not used and shorter periods shall be excluded.

(2) Where a newly registered vehicle is brought on the road during any part of a taxation quarter, the tax shall be charged for the whole of that quarter.

6. Any person making a claim to exemption under sub-section (2) of section 13 shall support his claim to exemption by such proof or in such manner as the Licencing Officer may in each case direct.

Provided that no person shall be entitled to exemption under sub-section (2) of section 13 unless such person deposits the registration certificate with the Licencing Officer and also sends an advance intimation to that officer of his intention not to use the vehicle in the quarter in respect of which exemption is claimed and giving the complete address where the vehicle will be garaged.

7. (1) A person who has paid a quarterly instalment of tax in respect of a motor vehicle, but afterwards proves to the satisfaction of the Licencing Officer, under section 13 that he is not liable to the payment of that instalment of tax or part thereof on account of any of the exemptions or deductions provided for it in the Act or rules, is entitled to claim refund of the tax already paid to the extent admissible under the Act or rules made thereunder.

(2) Where an exemption or deduction or refund is claimed by a licensee and his claim is admitted, the Licencing Officer shall make the necessary entry certifying the exemption or deduction or refund in the remarks column of the licence and shall issue a refund order in the Form RO.

8. When a person purchases or keeps for use a motor vehicle in respect of which a licence has already been issued, he shall produce the licence before the Licencing Officer. The Licencing Officer shall then cancel the licence and deliver to the applicant a fresh licence in his own name, in which were entered as paid on the former licence.

9. In the event of a licensee losing his licence, on an application being made to the Licencing Officer, a duplicate licence may be issued on the payment of a fee of one rupee.

10. The assessment of tax of motor vehicles shall be as described in the schedule. The assessee must state the horse power, unladen weight or the seating capacity, as the case may be, in the Declaration Form. The Licencing Officer may accept or may in his discretion demand proof, of the statements made in the Declaration Form. In the absence of any proof the Licencing Officer shall decide the horse power or the unladen weight or the registered laden weight or the seating capacity, as the case may be, and shall assess the tax accordingly.

11. For the purpose of assessment, the Licencing Officer may require an applicant for a licence to produce his vehicle before him for inspection.

12. As soon as an applicant for a licence has filled the declaration, the Licencing Officer shall inform him, by letter, of the assessment on his motor vehicle; and the applicant shall, as prescribed in the Act, pay the first quarterly instalment of tax. The Licencing Officer, if satisfied that the tax has been paid, shall deliver the licence, which shall be in Form III, to the applicant.

13. The tax may be paid by cash in the office of the Licencing Officer or by money order in the coupon of which shall be stated the vehicle number and the purpose of sending the money order or by a treasury chalan or by a crossed cheque on a Bank having a clearing account with the State Bank or India, at Panjim, Daman or Diu.

14. Any police officer on duty or any officer or Inspector or Assistant Inspector of the Motor vehicles Department may order a motor vehicle to stop and examine it to ascertain whether a licence thereof has been obtained. Should he discover that it has not been licenced, he shall take the registered number of the vehicle and the name of the owner, and report the same without delay to the Licencing Officer for such action as he considers necessary.

15. Before imposing a penalty under section 8 or 9, the Licencing Officer shall call upon the person concerned to show cause why the penalty should not be imposed. He shall record a brief memorandum of the facts of the case and the statement of the person concerned and a finding with a brief statement of his reasons for the finding.

16. The appeal under section 12 shall be made in writing to the officer to whom an appeal lies stating

the grounds on which the applicant disputes the order and enclosing a certified copy of the order appealed against. The Officer hearing the appeal may in his discretion:—

(a) dismiss the appeal summarily, or

(b) call on the Licencing Officer for a report, and after considering such report and such arguments as may be put forward on behalf of the appellant may confirm, modify or set aside the order.

17. When a person pays an instalment of tax or satisfies the Licencing Officer that he is entitled to exemption from payment of tax, the Licencing Officer shall issue a token in the Form IV to such person and shall enter in the token the amount paid or the words EXEMPT as the case may be.

18. (1) No person shall drive or cause to be driven any motor vehicle unless a valid token is displayed thereon in the manner hereinafter prescribed.

(2) In the case of a motor cycle not having more than two wheels (whether with or without a side car) the token shall be affixed to the plate bearing the front registration marks so as to face towards the left hand side of the motor cycle, and in the case of any other motor vehicle it shall be affixed to the bottom left hand corner of the windscreen facing forwards or if the vehicle is not fitted with windscreen then in some other conspicuous place on the left hand side of the vehicle.

(3) Nothing in the sub-rule (1) shall apply in the case of a vehicle owned or kept for use by any department of the Central Government other than a vehicle used in connection with the business of a Railway or which is for the time being exempt from liability to pay tax under the Act or these Rules or which has not been kept for use by the owner for more than thirty days.

19. (1) Any holder of a token which has been lost, destroyed, defaced or torn may apply to the Licencing Officer for the issue of a duplicate token, and the Licencing Officer shall, if he is satisfied after making enquiries that a duplicate may properly be issued, issue a duplicate token.

(2) A duplicate token shall be in the Form IV with the words «DUPLICATE» in bold red letters written or stamped across it.

(3) The fees for the issue of a duplicate token shall be one rupee.

20. Whoever contravenes the provisions of rule 18 shall be punishable with a fine which may extend to twenty rupees and in the event of any subsequent conviction for the same offence with a fine which may extend to one hundred rupees.

FORM I

[See Rule 3(1)]

Form of declaration

1. Name, father's name and full address ...
2. (a) Class of Vehicle ...
(b) Type of body* ...
(c) Engine number ...
(d) Chassis number ...
3. (a) Year of manufacture ...
(b) Make ...
(c) Horse-power and number of cylinders ...
(d) Model or series ...

Authority shall remove the old photograph from the licence and affix a seal thereto one copy of the new photograph and return the licence to the applicant, and shall, if he is not the Licencing Authority by whom the licence was issued, forward the second copy of the photograph to that authority;

Provided that if the holder of the licence so desires the Licencing Authority shall issue a duplicate licence of the new photograph affixed thereto and shall destroy the original licence.

(v) When a new photograph is affixed to a licence, a note shall be made upon the photograph of the date of affixture.

(vi) The fee for a duplicate licence issued under the proviso 2 sub-rule (4) shall be five rupees.

2.8. Licence lost or destroyed. — (i) If at any time the licence is lost by the holder or is destroyed, the holder shall forthwith intimate the fact in writing in Form L. L. D. or in a letter setting out the particulars required by Form L. L. D. to the Licencing Authority in whose area he has his place of residence at the time.

(ii) Upon the receipt of intimation as aforesaid, the Licencing Authority shall, if he is not the authority by whom the licence was issued, apply to that authority for particulars of the licence and of any endorsement thereon, and after making such inquiries as he thinks fit, shall if he is satisfied that a duplicate may properly be issued, issue a duplicate licence.

(iii) Where a photograph is required to be affixed to a duplicate licence issued under the provisions of these rules the holder of this licence shall furnish the Licencing Authority with two clear copies of a recent photograph of himself, one of each shall be affixed to the duplicate licence.

(iv) Fee for a duplicate licence issued under this rule shall be five rupees:

Provided that if the licence is lost while in custody of a Court or an authority to which it has been submitted or surrendered in pursuance of the provisions of the Act or these rules duplicate copy shall be issued free of charge.

(v) When a duplicate licence has been issued upon representation that a licence has been lost and the original licence is afterwards found by the holder, he shall deliver it forthwith to the Licencing Authority.

(vi) Any other person finding a driving licence shall deliver it to the holder of the licence or to the nearest Police Station.

2.9 Defaced or Torn licences. — (i) If at any time it appears to a Licensing Authority that a licence held by any person is so torn or defaced that it has ceased to be reasonably legible or that any important part of the original licence has been detached or is missing or that any unauthorised alterations have been made, the Licencing Authority may impound the licence and issue a duplicate.

(ii) If any of the entries are still illegible or are missing or it appears that they have been detached or altered without authority, the Licencing Authority shall, if he is not the authority by whom the licence was issued, apply to that authority for particulars of that licence and of any endorsement thereon, and after making such inquiry as he thinks fit shall, if he is satisfied that a duplicate may properly issued, issue a duplicate licence.

(iii) If a licence impounded as aforesaid is required to have a photograph of the holder affixed thereto then —

- (a) if the photograph on the impounded licence is in the opinion of the Licencing Authority satisfactory and conveniently transferable to the duplicate licence, the Licencing Authority may so transfer, affix and seal the photograph to the duplicate licence; but
- (b) If the photograph affixed to the licence impounded is not in the opinion of the Licencing Authority such as can be transferred to the duplicate licence, the holder of the licence shall, on the demand of the Licencing Authority furnish two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate licence and sealed.

(iv) The fee for a duplicate licence issued under this rule shall be five rupees.

2.10 Issue of duplicate licences. — When a duplicate licence is issued under rule 2.7, rule 2.8 or rule 2.9, it shall be clearly stamped «duplicate» in red and shall be marked with the date of issue of the duplicate and the seal of the Licencing Authority.

2.11 Temporary authorisation in lieu of a licence.

(i) When the holder of a licence has surrendered it to a Licencing Authority or other authority for renewal or for obtaining an endorsement to drive a public service vehicle or for any other purpose under the Act or these rules, and has deposited the prescribed fee, and the licence has not been suspended or cancelled, the Licencing Authority or other authority shall furnish him with a receipt for the licence in Form L-Tem or in Form L-Tem (police) and during such time as the receipt shall be specified to remain in force, it may be produced in place of the licence under subsection (1) of section 86.

(ii) The granting authority in the case of a receipt in Form L-Tem or a Magistrate of the First class in the case of a receipt in Form L-Tem (Police), may at his discretion extend the term of the receipt issued under the preceding sub-rule by order endorsed thereon;

Provided that a Magistrate shall not extend the term of a receipt if the holder of the licence is present before him and the licence is available in Court.

(iii) No fee shall be payable in respect of a receipt given under this rule.

2.12 Procedure when licence is forwarded to a Court. — (i) Notwithstanding anything contained in the proviso to sub-section (3) of section 86, in cases where a driver driving as a paid employee or the driver of a transport vehicle has forwarded his licence to a Court under sub-section (2) of section 130 it shall, subject to the condition in sub-rule (ii) of this rule be a sufficient compliance with section 68 if he produces the licence within 10 days (or in the case of any driver, who does not receive the licence back from the Court within 10 days, within four days of its receipt) at a Police station or such other place in the region as may be specified by the Police Officer or other authority making the demand.

(ii) No driver shall be entitled to the benefit of sub-rule (i) unless he exhibits to the Police Officer or authority who has demanded the production of his licence —

(a) the summons received by him from the court being a summons requiring him to attend on a date not more than 14 days before or after the date on which the demand is made, and

(b) the postal receipt for the registered letter under which the licence has been forwarded to the Court.

2.13 Driving permit for learners.— (i) Sub-section (1) of section 3 shall not apply to any person driving a motor vehicle in a public place during the course of receiving instruction or of gaining experience in driving with the object of presenting himself for the test required by clause (a) of sub-section (6) of section 7 so long as—

- (a) The driver has obtained and carried a learners driving permit in Form L. Lr. entitle him to drive the vehicle;
- (b) There is beside the driver in the vehicle as instructor a person duly licenced to drive the vehicle and seating in such a position as to be able readily to stop the vehicle;
- (c) There is affixed both to the front and rear of the vehicle a white plate or card 180 millimetres square, bearing the letter «L» in red 100 millimetres high and 90 millimetres wide;
- (d) No fare paying passengers are carried in the vehicle:

Provided that clause (d) shall not apply to a person driving a two wheeled motor cycle with or without a sign card attached.

(ii) An application for a permit to drive as a learner shall be made in Form L. Lr. A to the Licencing Authority having jurisdiction in the area in which the applicant ordinarily resides and shall be accompanied by a fee of three rupees.

(iii) A learner's driving permit shall be valid for a period of three months and may be renewed for a further period of three months on payment of a fee of three rupees for each renewal.

(iv) A Licencing Authority may for any reason which he thinks fit, refuse to issue or to renew a learner's driving permit or may revoke such a permit issued by it.

(v) Any person aggrieved by an order passed under sub-rule (iv) may appeal within 30 days to the Secretary to the Government, whose decision shall be final.

(vi) A person driving as a learner shall produce a learner's driving permit for examination on the demand of any Police Officer in uniform.

2.14 Disqualification under sections 15 and 16.—

(i) A Licencing Authority taking possession of a licence under sub-section 2 of section 15, shall, if the licence was issued under the Act and was granted by another Licencing Authority, intimate the fact to that authority.

(ii) When a State Transport Authority declares a person disqualified under sub-section 1 of section 16, it shall, if the person holds a licence, endorse the licence accordingly and shall send intimation of such declaration to the authority by whom the licence was issued.

2.15 Intimation to original authority of endorsement and renewal.— (i) The Court making or causing to be made an endorsement on a licence of section 19, shall send intimation in Form LE to the Licencing Authority by whom the licence was issued.

(ii) The Licencing Authority renewing a licence under the provision of sub-section (4) of section 11, shall intimate the fact to the licencing authority by whom the licence was issued in Form LR.

(iii) A Licencing Authority acting under sub-section 3 of section 6, to add to the classes of the motor vehicles which a licence authorises the holder to drive shall, if it is not the authority by whom the licence was issued, intimate the addition to that authority in Form L.Ad.

2.16 Refusal to renew.— The Licencing Authority may require an applicant to undergo a driving test if a period exceeding 3 years has elapsed since the date of last renewal and if the applicant fails to pass the test shall refuse to renew the licence.

Provided that no fee shall be payable by any holder of a driving licence under sub-section (8) of section 7 who is or has been serving in any army unit abroad whether employed on driving vehicle or otherwise, if he applies for the licence while abroad or within three months from his return from service abroad and satisfied the Licencing Authority that he was serving in army unit abroad then the three years period elapsed.

2.17 Change of address of licence holder.— The holder of a licence entitling him to drive as a paid employee or to drive a public service vehicle shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary or permanent address as notified on the licence to the Licencing Authority by whom the licence was issued and to the Licencing Authority by whom it was last renewed.

2.18 A sum of rupees eleven only shall be charged as fee for the grant of a licence under sub-section (8) of section 7, and nine rupees for the renewal of a licence under subsection (3) of section 11 from the holder of a driving licence issued under sub-section (8) of section 7:

- (a) if such person is or has been serving in any army unit abroad whether employed or driving motor vehicles or otherwise; and
- (b) if the application for the grant of renewal of the licence is made within three months of his return from service abroad.

Such persons shall be exempt from payment of the remaining portion of the fee, if any, payable under the said section.

- (c) Validity of a licence issued under sub-section (8) of section 7 shall be three years from the date of issue.

CHAPTER III

Registration of Motor Vehicles

3.1 Entry of laden weight in the certificates of Registration of old vehicles.— (i) After the first day of January 1965 no owner shall permit any goods vehicle to be driven in any public place, being a goods vehicle deemed to be registered under the Act by virtue of the provisions of sub-section (2) of section 23, unless the registered laden weight is stated in the certificate of registration and exhibited on the vehicle in the manner specified in rule 3.9

Provided that if the certificate of registration being a certificate issued before the date when

these rules come into force, includes particulars of the unladen weight and the permissible load or carrying capacity, the sum of the unladen weight and the permissible load, or the sum of the unladen weight and the carrying capacity as the case may be, shall until other entries are made be deemed to be the registered laden weight of the vehicle.

(ii) The owner of a goods vehicle the certificate of which does not contain the particulars required by the preceding sub-rule shall before the 15th February, 1965 apply in Form R. L. W. to the Registering Authority of the area in which the goods vehicle is normally kept, for the assignment of a registered laden weight to the vehicle.

(iii) Upon receipt of an application under sub-rule (2) the Registering Authority may call upon the applicant to produce the vehicle at such time and place and before such person as the Registering Authority may appoint.

(iv) After causing the vehicle to be inspected and making such enquiries as he may deem to be necessary, the Registering Authority shall assign a registered laden weight to the vehicle and call upon the registered owner to produce the certificate of registration and enter the same therein.

(v) If the Registering Authority assigning the registered laden weight in accordance with this rule is not the authority by whom the records of the registration are kept, he shall inform that authority.

3.2 Registering Authority. — The Functions of the Registering Authority shall be performed by the Licensing Authority, in the absence of any other person appointed as such.

3.3 Appellate authority. — The authority to hear appeals under section 35 shall be the Secretary to the Government.

3.4 Conduct and hearing of appeals. — (1) An appeal under rule 3.3 shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear court fee of one rupee, setting forth concisely the grounds of objection to the order of the Registering Authority, and shall be accompanied by a certified copy of that order.

(2) When an appeal is lodged, a notice shall issue to the Registering Authority, in such form as the appellate authority may direct.

(3) The appellate authority, after giving an opportunity to the parties to be heard and after such further enquiry if any as it may deem necessary, may confirm, vary, or set aside the order of the Registering Authority, and shall make an order accordingly.

(4) Any person preferring an appeal under the provisions of the Act and of this rule shall be entitled to obtain a copy of any document filed with the Registering Authority in connection with any order against which he is preferring an appeal on the payment of a fee calculated at the rate of eight annas per page of about 200 words.

3.5 Assignment of registered weights. — In assigning any weight other than the unladen weight to a transport vehicle under section 37, the Registering Authority may, if the owner so desires, assign a weight less than the maximum permitted by the provisions of that section as the registered laden weight or the registered axle weight of any axle.

3.6 Assignment and exhibition of registration marks. — (1) The registration marks to be assigned under sub-section (3) of section 24 will be as set forth in the Second Schedule to these rules.

(2) The registration mark shall be clearly and legibly exhibited on a plane surface on a plate or part of the vehicle both at front and rear facing direct to the front or rear (as the case may be), in the manner hereinafter specified.

(3) Motor vehicles owned by the State Government shall carry the distinctive registration plate in the form illustrated in the First Schedule of these rules. The name of the Department to which the vehicle belongs shall be shown on this plate and the letters and numerals of the registration mark and the name of the Department shall be in English.

(4) The registration mark shall be in English letters and numerals:

(a) Save in the case of a motor cycle or in invalid carriage the letters shall be not less than 65 millimetres high and fifteen millimetres thick at any part; the numerals shall not be less than ninety millimetres high and twenty millimetres thick at any part, and there shall be a space between any letter and any numeral, and between any letter or numeral and the edge of the plane surface of not less than thirteen millimetres and a space between any two letters and between any two numerals of not less than ten millimetres.

(b) In the case of a motor cycle or an invalid carriage, the letters shall be not less than 42 millimetres high and ten millimetres thick at any part. The numerals shall be not less than 59 millimetres high and thirteen millimetres thick at any part, and there shall be a space between any letter, and any numeral, and between any letter or numeral and the edge of the plane surface of not less than 8 millimetres and a space between any two letters and between any two numerals of not less than six millimetres.

(5) The plane surface aforesaid shall not be inclined from the vertical by more than thirty degrees. The letters and numerals shall be exhibited in the following manner:

(a) In the case of a transport vehicle other than a motor cab, both registration marks assigned to the vehicle under sub-section (3) of section 24, shall exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below.

(b) In all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines as aforesaid or in one horizontal line.

(6) Notwithstanding anything contained in sub-rule (2), the registration mark exhibited at the front of a motor cycle or of an invalid carriage may be displayed on a plate in a line with the axis of the vehicle and shall in such case be displayed on both sides of roof plate.

(7) If the registration mark exhibited at the front or rear of a public service vehicle other than a motor

cab is affixed to the vehicle at a distance of 914 millimetres or less from the ground a second registration mark shall be exhibited at roof level.

(8) If the letters and numerals are exhibited in any polished metallic surface they shall have plane and not rounded surfaces.

3.7 The registration mark on a trailer. — (1) The registration mark of a trailer shall be exhibited on a plane plate or surface on the left hand side of the trailer. The letters, figures, space and margin shall be of dimensions not less than those prescribed in clause (b) of sub-rule (4) of rule 3. 6. 6.

(2) The registration mark of the drawing motor vehicle required by the Act to be affixed to the rear of a trailer shall be in conformity with all the provisions of these rules applicable to the registration mark affixed to the rear of a motor vehicle.

3.8 Particulars to be painted on transport vehicles. — (1) Save in the case of motor cabs, delivery vans or trailers, of the nature specified in clause (i) in sub-section (3) of section 42, the particulars set forth below shall be exhibited in a fixed frame inside the vehicle, in the driver's cab, in English letters and numerals: —

1. Registered No. of vehicle
2. Name and address of owner as set forth in the certificate of registration
3. Engine No.
4. Chassis No.
5. Date of validity of certificate of fitness
6. The Registered unladen weight in kgs.
7. The registered laden weight in kgs.
8. Carrying capacity (a) if a stage carriage or a contract carriage the number of passengers for whom accommodation is provided,
 - (i) Upper Class
 - (ii) Lower Class and
 - (b) if a goods vehicle, in kgs.
9. Registered Front Axle Weight
10. Registered Rear Axle Weight
11. Number and size of tyres
 - (a) Front Axle
 - (b) Rear Axle
 - (c) Intermediate Axle, if any,

Signature and name of authority
issuing the original certificate of
registration.

Place of issue

Date

(2) The full name of the company, society, firm or person owning the vehicle as set forth in its registration certificate shall be exhibited on both sides of every transport vehicle other than motor cabs, delivery vans and trailers, in English block letters measuring 100 millimetres in height and 20 millimetres in thickness:

Provided that with the approval of the State Transport Authority abbreviation of names may be used.

(3) This rule shall not apply to any vehicle registered under section 39.

3.9 The authority prescribed to grant or renew a certificate of fitness and to perform all the functions which are to be discharged by a prescribed Authority under Section 39, shall be an Inspector of Motor Vehicles.

3.10 Applications for certificates of fitness. — (1) For the grant or renewal of a certificate of fitness a transport vehicle shall be presented to the Inspector of Motor Vehicles in whose functional area includes the major portion of the route or area to which the permit of the vehicle extends:

Provided that in the case of an original application for a certificate of fitness the vehicle may be produced before any Inspector of Motor Vehicles.

(2) If owing to mechanical breakdown or other cause a motor vehicle is at the time when the certificate expires, outside the functional area of the Inspector of Motor Vehicles by whom the certificate is to be renewed, any Inspector of Motor Vehicles may, without prejudice to any penalty to which the owner may have become liable, if the vehicle is in the opinion of the Inspector fit for use, by endorsement in Form C. F. Sub. and object to such conditions as the Inspector may specify, authorise its use for such time as may be reasonable.

(3) Every application for the grant or renewal of a certificate of fitness shall be made with an inspection fee of two rupees.

3.11 Procedure of Inspection. — (1) The Inspector of Motor Vehicles before whom a vehicle is produced for the issue of renewal of a certificate of fitness may:

- (a) issue a certificate or renew the former certificate in respect of the vehicle;
- (b) defer a decision regarding the issue or renewal of a certificate of fitness pending the rectification of certain defects; or
- (c) refuse to issue a certificate or renew the former certificate.

If the course described at (b) is followed, the Inspector of Motor Vehicles shall supply the owner of the vehicle or his agent with a list of the defects requiring correction in Form C. F. X. and pending the carrying out of the repairs shall suspend and impound any certificate of fitness previously in force in respect of the vehicle. In completing Form C. F. X. the Inspector of Motor Vehicles shall note the conditions under which it shall be permissible for the vehicle to be used pending the grant or renewal of the certificate. These conditions shall in no case permit the use of the vehicle for the conveyance of passengers for hire or reward or for the carriage of goods other than goods carried in connection with the repairing of the vehicle.

(2) If the Inspector of Motor Vehicles defers its decision under clause (b) in the preceding sub-rule and supplies the owner of the vehicle or his agent with a list of defects in Form C. F. X. and if thereafter the vehicle is not produced for further examination within a period of two months (or such longer period as may have been specified by the Inspector of Motor Vehicles in the Form C. F. X.) the certificate of fitness if it has already expired, shall be deemed to be cancelled with effect from the date when it was suspended.

(3) In issuing or renewing a certificate of fitness the Inspector of Motor Vehicles shall endorse thereon

the period for which the certificate shall remain effective and the date, time and place appointed for the next inspection of the vehicle.

(4) Fees for the grant or renewal or duplicate of a certificate of fitness shall be ten rupees.

3.12 Cancellation and suspension of certificates of fitness. — (1) The Inspector of Motor Vehicles may cancel the certificate of fitness of a transport vehicle under sub-section (3) of section 38 or may suspend the certificate for a period not exceeding two months if in the opinion of the Inspector of Motor Vehicles it does not comply with the provisions of Chapter V of the Act or with these rules.

(3) When a certificate of fitness has been suspended under the preceding sub-rule, the owner of the vehicle may at any time within the period of suspension, after making the necessary repairs, produce it for further examination before the Inspector of Motor Vehicles (or any other Inspector of Motor Vehicles) the Inspector of Motor Vehicles shall thereupon proceed in accordance with sub-rule (1) of rule 3.11. If the vehicle is not so produced for further inspection within the period of suspension the certificate of fitness shall on expiry of the period be deemed to have been cancelled.

(3) The Inspector of Motor Vehicles cancelling or suspending a certificate of fitness under sub-rule (1) of this rule shall give the owner or other person in-charge of the vehicle a receipt therefor and a statement in writing of the reasons for such cancellation or suspension.

3.13 Report to be made when a certificate of fitness is cancelled or renewal is refused. — (1) In every case in which a certificate of fitness is cancelled or renewal of a certificate of fitness is refused or in which a certificate of fitness is deemed to have been cancelled under sub-rule (2) of rule 3.11 or sub-rule (2) of rule 3.12 in consequence of the failure of the owner to produce a vehicle for further examination, a report shall be made by the Inspector of Motor Vehicles who has registered the vehicle.

(2) In every case in which a certificate of fitness is cancelled, the authority making the order shall impound the certificate.

(3) Nothing in this rule or in rules, 3.9, 3.10, 3.11 and 3.12 shall apply to any transport vehicle registered under section 39.

3.14 Temporary registration of newly sold vehicles.

— (1) When for any reason it is impracticable for the purchaser of a newly sold vehicle to obtain a registration certificate in the ordinary course, owing to a temporary closure of the office of the Registering Authority or for other similar reason, or where the purchaser of a newly sold vehicle intends to export it at once beyond the limits of the Union Territory of Goa, Daman and Diu or to take it immediately to the district where he has his permanent residence or place of business, a temporary certificate of registration in the Form C Ten and a temporary registration mark may be issued under this rule, and the temporary certificate and registration mark shall for the time being serve all the purposes of a regular certificate and registration mark. The fee for the issue of temporary certificate of registration shall be five rupees.

(2) A temporary certificate of registration or a temporary registration mark shall not be issued except in respect of a vehicle which has not previously been registered under the Act.

(3) Every application for a temporary certificate of registration shall be in writing and shall indicate the district or place where the vehicle is intended to be produced for permanent registration. It shall be supported by a certificate from the person or firm from whom the vehicle has been purchased to the effect that it has been sold to the applicant on the day when the certificate is signed.

(4) A temporary certificate of registration shall not be valid for more than thirty days and shall not be capable of renewal.

(5) An authority issuing a temporary certificate of registration shall at the same time assign to the vehicle a distinguishing mark to be displayed thereon in the manner prescribed for distinguishing marks assigned under sub-section (3) of section 24 the letters and figures composing the marks being in red on a yellow ground.

3.15 Loss or destruction of certificate of registration of a vehicle other than transport vehicle. — (1) If at any time the certificate of registration of a vehicle other than a transport vehicle is lost or destroyed, the owner shall forthwith intimate the facts in writing to the Registering Authority by whom the certificate was issued or by whom the registration mark of the vehicle was assigned under section 29 and shall apply in Form C. R. L. D. to the said authority for the issue of a duplicate certificate.

(2) Upon the receipt of an application in Form C. R. L. D. together with a fee of five rupees the Registering Authority may after making such inquiries as appear necessary issue a duplicate certificate of registration in Form G. clearly stamped «Duplicate» in red ink.

3.16 Loss or destruction of certificate of registration and certificate of fitness of a transport vehicle. — (1) If at any time the certificate of registration and the certificate of fitness of a transport vehicle are lost or destroyed, the owner shall forthwith intimate the fact in writing to the Registering Authority by whom the certificate of registration was issued or by whom the registration mark was assigned under section 29 and shall apply in Form C. R. L. D. Tran. to the said authority for the issue of a duplicate certificate of registration and certificate of fitness.

(2) Upon the receipt of an application in Form C. R. L. D. together with a fee of (five) rupees the Authority may, after making such enquiries as appear necessary and obtaining particulars of the original certificate of fitness from the Inspector of Motor Vehicles by which it was issued or last renewed, issue a duplicate certificate of fitness in Form H clearly stamped «Duplicate» in red ink.

3.17 Procedure when a lost certificate is subsequently found. — (1) When a duplicate certificate of fitness or certificate of registration has been issued upon representation that the original has been lost and the original is afterwards found by the holder, the original certificate of fitness or certificate of registration shall be delivered forthwith to the Registering Authority.

(2) Any other person finding a certificate of fitness or certificate of registration shall deliver it to the holder or to the nearest police station.

3.18 Temporary receipt for certificate of registration or certificate of fitness taken into possession by a competent authority. — (1) When the holder

or a certificate of registration and a certificate of fitness of a transport vehicle has submitted them to a Registering Authority or other authority for any purpose under the Act or these Rules and neither the certificate of registration nor the certificate of fitness has been suspended or cancelled, the Registering Authority (or other authority) shall furnish him with a receipt for the certificate of registration in Form R. Tem. and during such time as the receipt shall be specified to remain in force it may be produced in place of the certificate of registration or the certificate of fitness under sub-section (2) of section 86.

(2) Any authority granting a receipt under the preceding sub-rule may at his discretion extend the term thereof by order endorsed thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

3.19. — The fee for the issue of certificate of registration of a motor vehicle shall be —

- (a) In respect of a trailer not having more than two wheels and not weighing more than one ton unladen or a motor cycle — Twelve rupees.
- (b) In respect of a light motor vehicle — Eighteen rupees.
- (c) In respect of any other vehicle — Thirty six rupees.
- (d) In respect of a duplicate certificate of registration — Five rupees.

(2) The fee for the registration of transfer of ownership of any vehicle under section 31 shall be two rupees.

Provided that no registration fee shall be payable for registering vehicles already registered under the law in force immediately before the commencement of the Act.

(3) There shall be no fee for the assignment of a new registration mark under section 29 for recording the change of address of an owner under section 30 or for recording an alteration to a motor vehicle under section 32.

3.20 Authority to suspend certificate of registration. — Any magistrate of the first or second class or any police officer not below the rank of Deputy Superintendent and any officer of the Motor Vehicles Department not below the rank of Inspector of Motor Vehicles may suspend the registration of a motor vehicle under section 33.

3.21. — (1) When in an application for the registration of a motor vehicle the parties, to an agreement of hire purchase declare, in the form of the note endorsed on Form E that the vehicle is subject of such an agreement, the Registering Authority shall complete and affix his signature to the note appended to Form G but shall not be required to satisfy himself as to the title of the two parties in the vehicle nor shall the note endorsed on Form G in any way effect the title of any party.

(2) If, upon termination of an agreement of hire purchase or otherwise, the registered owner and the other party desire that the note on Form G relating to such an agreement shall be cancelled they shall apply in Form H. P. Ter. to the Registering Authority by whom the vehicle was registered or by whom a new registration mark has been assigned

to the vehicle under section 29, and the Registering Authority shall thereupon cancel the note endorsed on Form G.

(3) Nothing contained in this rule shall prevent the Registering Authority from recording a change of the address of the Registered owner on the certificate of registration as provided in section 30, nor shall the Registering Authority be required to inform the other party to an agreement of hire purchase of any intimation of change of address; but the Registering Authority shall not record any transfer of ownership of a motor vehicle under section 31, so long as the certificate of registration contains the note of an agreement of hire purchase, unless the other party to that agreement signifies his consent to such transfer by endorsement upon Form T.O.

(4) If the other party to an agreement of hire purchase satisfies the Registering Authority that he has taken possession of the vehicle owing to the default of the owner under the provisions of the agreement and that the owner has absconded or refuses to deliver the certificate of registration, the Registering Authority may, after giving the owner an opportunity of being heard and notwithstanding that the certificate of registration is not produced, cancel the certificate of registration and issue a duplicate certificate of registration and deliver the same to the other party.

(5) The owner shall be deemed to have been given an opportunity of being heard within the meaning of the preceding sub-rule if a notice has been sent to him by registered post to the address stated in the certificate of registration.

(6) If a note in respect of an agreement of hire purchase is to be endorsed on a certificate of registration, there shall be payable in addition to the registration fee a sum of ten rupees. No fee shall be payable in respect of the cancellation of the note under sub-rule (2). There shall be payable for recording transfer of ownership a further fee of rupees two when the transfer is of a vehicle which is the subject of a hire purchase agreement.

3.22 Transfer of ownership. — (1) Intimation of transfer of ownership of a motor vehicle under sub-section (1) of section 31 shall be made in Form T.O.

(2) Communication of transfer to the original Registering Authority under sub-section (2) of section 31 shall be in Form C R T I.

3.23 New registration mark. — (1) Application for a new registration mark under section 29 shall be made in Form R.M.A.

(2) The Registering Authority assigning a new registration mark to a motor vehicle shall intimate the fact to the owner and the other party, if any, to an agreement of hire purchase specified in the note on the certificate of registration, and shall apply to the original Registering Authority for transfer of the records of the vehicle in Form R.M.I.

3.24 Vehicles entering the province from outside. — (1) When any motor vehicle which is not registered in the State has been kept therein for a period exceeding fourteen days, the owner or the other person the Registering Authority of the district in which in charge of the vehicle shall send the intimation to the Registering Authority of the District in which the motor vehicle is at the time of making the report and shall intimate —

- (a) his name and permanent address and his address for the time being;

- (b) the registration mark of the vehicle;
- (c) the mark and description of the vehicle; and
- (d) in the case of a transport vehicle the name of the authority within the State by whom the permit has been issued or counter-signed:

Provided that in the case of a transport vehicle covered by a permit having validity in the State it shall be necessary to make a report under this sub-rule upon the occasion of first entry only.

(2) Nothing in this rule shall apply to a motor vehicle which is exempted from registration under provisions of rule 3.26.

(3) Nothing in this rule shall apply to any vehicle registered under section 39.

3.25 Hiring agreement. — (1) When possession of a motor vehicle is transferred by the registered owner to another person under a hiring agreement, the registered owner shall forthwith intimate the fact and the full name and the address of the transferee to the Registering Authority of the area in which the said owner has his residence or place of business.

(2) Nothing in the preceding sub-rule shall make it necessary to give intimation of a hiring agreement when the vehicle is to be used thereunder as a stage carriage.

3.26 Exemption of vehicles in the possession of manufacturers or dealers. — (1) Section 22 shall not apply to a motor vehicle in the possession of a manufacturer or of a dealer in motor vehicles in the course of the business of the manufacturer or dealer so long as it is used under the authorisation of a trade certificate granted by the Registering Authority within whose area the manufacturer or dealer has his place of business.

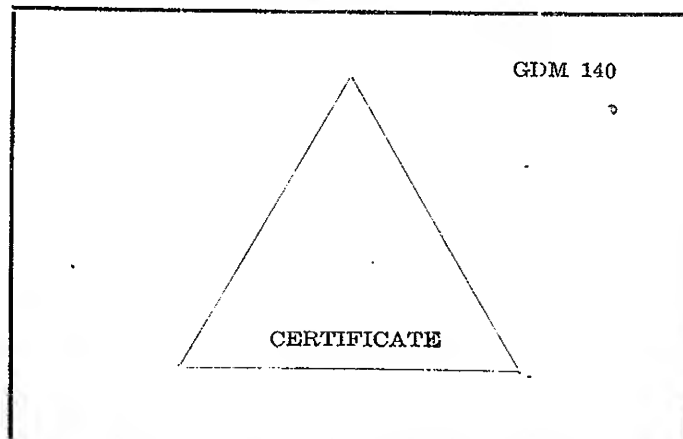
(2) Applications for the trade certificates shall be made in Form TCA and shall be accompanied by the prescribed fee.

(3) The fee for the trade certificate shall be one hundred rupees in respect of any number of certificates up to ten, and fifty rupees in respect of each additional number of five or less certificates. The fee shall be payable annually in advance.

(4) If the Registering Authority declines to issue a trade certificate or issues a less number of certificates than the number specified in the application, the fee or a proportion of the fee determined in accordance with sub-rule (3), as the case may be, shall be refunded to the applicant.

(5) Upon the receipt of an application for the trade certificates as aforesaid the Registering Authority shall if satisfied that the number of certificates applied for is reasonable in relation to the business of the applicant issue the certificates in Form TC accordingly and assign to the applicant a series of trade registration marks consisting of the three letters of the registration mark specified in the Second Schedule of these rules followed by not more than three figures and followed by one letter of the alphabet in respect of each certificate.

(6) The trade certificate shall be attached to the registration mark in a weatherproof holder, in the manner set out hereunder: —



(7) Not more than one vehicle shall be used in a public place at any one time under any one trade certificate.

(8) No person to whom a trade certificate is granted shall cause or allow it to be used upon any motor vehicle other than motor cycle unless the holder of the certificate or a bonafide employee of the holder is present in the vehicle or for any purpose other than one of the purposes set out below: —

- (a) For test during the course of or after completion of constructions or repairs.
- (b) For proceeding or returning from a weigh bridge for and after weightment, or to and from any place of its registration.
- (c) For reasonable trial by or for the benefit of a prospective purchaser and for proceeding to or returning from the place where such person intends to keep it.
- (d) For proceeding for the purchase of delivery to or from the premises of the dealer and from such premises to the premises of a purchaser or of another dealer.
- (e) For proceeding to or returning from a workshop with the object of fitting a body to the vehicle or of painting or of repairs.
- (f) For proceeding to or from a railway station or wharf for or after being transported.
- (g) For proceeding to or returning from an exhibition of motor vehicles or any place at which the vehicle is to be or has been offered for sale.

(9) (a) No vehicle carrying a trade registration mark and certificate shall be used as a transport vehicle under the authorisation of any permit or otherwise.

(b) The trade certificates granted in other States in the Indian Union shall be treated as valid in the Union Territory of Goa, Daman and Diu.

(10) (a) Every holder of a trade certificate shall keep a register in Form TCR and enter or cause to be entered in duplicate in such register full and true particulars of the purposes for which every vehicle leaves his premises under a trade certificate, of the driver in charge, and of the period during which the vehicle was on the road under a trade certificate, of driver in charge and of the period during which the vehicle was on the road under the trade certificate.

(b) The register shall be in the form of foil and counterfoil in a bound book the pages of which shall

be numbered serially. The necessary particulars except in regard to the time of return shall be entered in it by the holder of the certificate or his agent before the commencement of each trip. The register shall be open to inspection on demand, by any police officer not below the rank of sub-Inspector or the Assistant Inspector of Motor Vehicles.

(c) The foil containing the entries made prior to the commencement of the trip shall be carried by the driver of the vehicle and the counterfoil shall be returned for a period of thirty days after the trip has been completed and shall be exhibited on demand by any police officer authorised to inspect the register.

(11) If at any time the Registering Authority is satisfied that the holder of a trade certificate has contravened any of the provisions of this rule he may, after giving the holder an opportunity of making any representation which he may wish to make suspend or cancel any or all the trade certificate held by him.

3.27 Exemption of road plant. — Nothing in Chapter III of the Act shall apply to road rollers, graders and other road making or road cleansing plant.

CHAPTER IV

Control of Transport Vehicles

4.1 Term of appointment of members of the State Transport Authority. — (1) Any official appointed to be a member of the State Transport Authority shall continue as such until such time as the State Government may otherwise order. A non-official member of the State Transport Authority shall hold office for a period of two years and thereafter until a successor is appointed.

Provided that the State Government may at any time remove any non-official members:

Provided further that when any non-official member dies or is removed or vacates office his successor shall hold his appointment for the remainder of the period of office of the member whose place he takes and thereafter until a successor is appointed.

(2) A non-official member of the State Transport Authority shall be entitled to travelling allowance and halting allowance for attendance at meetings, and for any journeys performed by him under the orders of the Chairman in connection with the business of the authority, at the rates admissible to officers of Grade I (drawing pay less than Rs. 1,000 per mensem) under the Central Government's travelling allowance Rules.

Provided that: —

- (a) A non-official member, who has his residence at a place other than the headquarters of the Authority will draw halting allowance at full rate even for the day on which he may not have halted for full 24 hours at place at which the meeting of the Authority is held, and
- (b) A non-official member, who has his place of residence at the head quarters of the Authority shall be entitled to draw, for each day of attendance at a meeting of the Authority, a fee equal to the halting allowance to which he would have been entitled if he had his residence elsewhere.

4.2 Meetings of the State Transport Authorities. — (1) The State Transport Authority shall meet at such times and at such places as the Chairman may appoint.

Provided that the Authority shall meet not less than once in each month unless the Secretary to the Government otherwise directs.

(2) Two members shall constitute a quorum at a meeting.

Provided further that if a quorum is not present within half an hour after the time fixed for the meeting, the meeting shall be adjourned to such day and at such time and place, not earlier than ten days in any case, as the Chairman or the acting Chairman may appoint, and if at the adjourned meeting the quorum is not present within half an hour from the time appointed for the meeting, the members present shall form a quorum.

(3) The Chairman, if unable to attend a meeting, shall nominate a member to act as Chairman at the meeting.

If the Chairman, is himself does not appoint his nominee, the members present shall elect a member to act as Chairman at the meeting.

(4) The Chairman or the acting Chairman nominated under the preceding sub-rule shall have a second or casting vote.

4.3 Conduct of business of Transport Authorities. — (1) Subject to the provisions of the act and these rules the State Transport Authority shall have power to make by-laws to regulate the conduct of its business and shall likewise have power to amend such by-laws, and the business of such Authority shall be conducted accordingly under the direction of the Chairman.

(2) The Secretary shall issue to each member of the State Transport Authority, a copy of the agenda ten days before the actual date if the meeting at which it is to be considered.

(3) Save in the case of the hearing of an objection to the grant of a stage carriage permit or of a public carrier permit and in the case of the hearing of a representation under sub-section (6) of section 57, the State Transport Authority, may decide any matter without holding a meeting by the majority of the votes of members recorded in writing and sent to the Secretary (hereinafter referred to as procedure by circulation).

(4) In the procedure by circulation, the Secretary shall send to each member such particulars of the matter as may be reasonably necessary in order to enable the member to arrive at a decision and shall specify the date by which the votes of members are to be received in the office of the Authority. Upon receipt of the votes of members as aforesaid, the Secretary shall lay the papers before the Chairman, who shall record the decision by endorsement on the form of application or other document, as the case may be, according to the votes received and the vote or votes cast by the Chairman. The record of the votes cast shall be kept by the Secretary and shall not be available for inspection by any person save by a member at a regularly constituted meeting of the Authority. No decision shall be made upon procedure by circulation if before the date by which the votes of members are required to reach the office of the Authority, not less than one third of the members of

the Authority by notice in writing to the Secretary demand that the matter be referred to a meeting of the Authority.

(5) The number of votes excluding the Chairman's second or casting vote, necessary for a decision to be taken upon procedure by circulation shall not be less than the number necessary to constitute a quorum.

(6) The State Transport Authority, may summon any application for a permit to appear before it and may decline to grant the permit until the applicant has so appeared either in person or by an agent authorised by him in writing and until the applicant has furnished such information as may reasonably be required by the Authority in connection with the application.

(7) Nothing in this rule shall prevent the State Transport Authority from deciding upon the procedure by circulation any matter which has been considered at a meeting or has been the subject of a hearing and upon which a decision has been reserved.

(8) When a matter is decided by the votes of members present at a meeting, no person other than a member of the Authority shall be entitled to be present and no record of the voting shall be kept save of the number of votes cast on either side.

Provided that when any matter is decided by the exercise of the second or casting vote of the Chairman the fact shall be recorded.

(9) In case the non-official members of the State Transport Authority differ on any matter en bloc from the official members, the matter shall be referred for decision to the State Government.

4.4 — All orders and directions issued by the State Government under section 43-A, shall be published in the Official Gazette.

4.5 Refusal to accept applications of permits. — When a State Transport Authority has in the exercise of its powers under the Act imposed a limit upon the number of permits of any class which may be granted for a specified route or a specified area and has already granted such number of permit of that class, the Authority may decline to consider further applications for such permits in respect of any such route or area.

4.6 Publication of application. — (1) In pursuance of the provisions of sub-section (3) of section 57, upon receipt of an application for a stage carriage permit or a public carriers permit the Secretary of the State Transport Authority shall post a copy of the application, together with the notice of the date before which representations may be submitted and of the date appointed for consideration, on a notice board outside the office of the Authority.

(2) It shall be a sufficient compliance with the provisions of sub-section (3) of section 57, if the particulars specified in that sub-section are published at the cost of the applicant in a newspaper of standing circulating in the region and are posted on a notice board outside the office of the Authority not less than fifteen days before the date appointed for the receipt of representation.

(3) If upon publication of particulars of an application in respect of stage carriage permit or of the public carriers permit as aforesaid no representation is received in connection herewith within the

specified period, the application may if the Chairman so directs, be submitted for the decision of the Authority, by procedure by circulation.

4.7 Hearing of applications or objections. — (1) When an application for any permit is considered at a meeting of the State Transport Authority and the applicant desires to be heard in support of his application or has been summoned to appear under the provision of sub-rule (6) of rule 4.3. the applicant may either appear and conduct his case in person or may be represented by any person authorised by him in writing in his behalf.

(2) Any person who has made a representation in connection with an application for a stage carriage permit or a public carrier's permit within the period specified in and in accordance with the provisions of section 57 and of these rules, may appear before the Authority upon the date appointed for consideration of the application either in person or be represented by any person authorised by him in writing in this behalf.

(3) Any person or authority who has made a representation under the provisions of section 50 may appear before the Authority upon the date appointed for hearing representation either in person or by a representative authorised by him or by it, as the case may be, in writing in this behalf.

4.8 Applications for permits. — (1) Every application for a permit in respect of a transport vehicle shall be in one of the following Forms: —

- (a) In respect of a particular stage carriage... Form P. St. P. A.
- (b) In respect of a service of stage carriages... Form P. St. S. A.
- (c) In respect of a contract carriage... Form P. Co. P. A.
- (d) In respect of a private carrier's permit... Form P. Pr. C. A.
- (e) In respect of a public carrier's permit... Form P. Pu. C. A.
- (f) In respect of a temporary permit... Form P. Tem. A.
- (g) In respect of a casual contract carriage permit... Form P. Co. S. A.
and it shall be addressed to the Secretary of the Authority at the regular office of the Authority.

(2) In granting any permit the State Transport Authority shall have power to modify the terms of the application to a reasonable degree and in such a case the application shall be deemed to be an application for a permit in the form granted.

4.9 Forms of permits. — (1) Every permit shall be in one of the following Forms:...

- (i) In respect of a particular stage carriage... Form P. St. P.
- (ii) In respect of a service of stage carriages... Form P. St. P.
- (iii) A contract carriage permit... Form P.Co.P.
- (iv) A private carrier's permit... Form P. Pr. C.
- (v) A public carrier's permit... Form P. Pu. C.
- (vi) A temporary permit... Form P. Tem.
- (vii) In respect of casual contract carriage permit... Form P. SO. S.

(2) Save in the case of a temporary permit every permit shall be in two parts, A and B. One copy of

Part A shall be issued, together with a number of copies of Part B equal to the number of vehicles which the holder of the permit is permitted to have in use on the road at any one time. Each such copy shall carry in addition to the number of the permit a separate serial number contained in brackets after the number of the permit and shall be sealed and signed by the Authority by which the permit is issued and by the Authority by which the permit is countersigned.

(3) The holder of a permit shall cause the relevant copy of Part B thereof or the temporary permit, as the case may be, to be carried in a frame or other suitable container affixed to the inside of one of the doors used by passengers gaining access to the vehicle and shall maintain it in a clean and legible condition.

4.10. Entry of registration marks on permits. —

(1) Save in the case of a temporary permit, where the registration mark of the vehicle is to be entered on the permit and the applicant is not at the date of the application in possession of the vehicle duly registered, then the applicant shall within one month of the sanction of the application by the State Transport Authority or such longer period as the Authority may specify, produce the certificate of registration of the vehicle before that Authority in order that particulars of the registration mark may be entered in the permit.

(2) No permit shall be issued until the registration mark of the vehicle to which it relates has, if the form of permit so requires, been entered therein, and in the event of any applicant failing to produce the certificate of registration within the prescribed period the Authority may revoke its sanction of the application.

4.11 Temporary permits. — (1) A temporary permit may be granted to any person whether he is the registered owner of the vehicle or vehicles to be used thereunder or not.

(2) If at the time of application for a temporary permit, the applicant is not in possession of the vehicle or vehicles or has not entered into a contract to hire the vehicle or vehicles or otherwise satisfies the authority concerned that he is for good and sufficient reason unable to specify the registration mark or marks of the vehicle or vehicles to be used under the permit applied for the Authority competent to issue a temporary permit may, if it is satisfied that undue inconvenience would otherwise be caused, issue a temporary permit in which the registration mark of the vehicle is not set out, and may if it thinks fit require as a condition of the permit that the applicant shall within twenty-four hours, or such longer period as the authority may specify, of the commencement of the first journey under the authorisation of the temporary permit, furnish to the authority particulars of the registration mark.

(3) No temporary permit shall be deemed to authorise the use of any vehicle which is not duly registered or in respect of which there is not in existence a valid certificate of fitness or which otherwise contravenes any of the provisions of the Act or Rules made thereunder.

4.12 Special permit for contract carriage. — (1) In granting a contract carriage permit or a stage carriage permit, the State Transport Authority may

attach thereto a condition enabling the vehicle to be used as a contract carriage outside the area in respect of which the permit has been granted, provided that on each occasion when the holder of the permit seeks so to use the vehicle he obtains a special permit.

(2) The State Transport Authority may under subsection (6) of section 63 grant a special permit in Form SP for a period not exceeding one month, which may, if necessary, be extended for a further period not exceeding one month.

(3) The fee for the grant of such special permit shall be the same as prescribed under rule 4.14 for the issue of the temporary permit and the vehicle, in respect of which such special permit is granted, shall display prominently on the windscreen a special distinguishing mark, specified by the Central Government.

4.13 Extension of validity of the permit. — A Transport Authority outside the State may, with the concurrence of the State Transport Authority and subject to any conditions which may be mutually agreed upon by Authorities concerned, extend the effect of any permit to the whole of the Union Territory of Goa, Daman and Diu or to any route or area therein.

4.14 Fees for permits and for countersignatures. —

(1) The fee in respect of the grant or renewal or countersignature of a regular permit shall be twenty rupees for each Part «B»; and five rupees for Part «A». Provided that no fees shall be charged for countersignature where the Union Territory has entered into a reciprocal agreement with the other State for exemption from the payment of such fees.

(2) The fees in respect of temporary permit or for countersignature of a temporary permit shall be five rupees for each calendar month or part thereof.

4.15 Limitation of capacity of stage carriages and contract carriages. — Save with the special permission of the State Government, no permit or countersignature on a permit shall authorise the conveyance of more than fifty six passengers excluding driver and conductor in any stage carriage or contract carriage.

4.16 Carriage of goods in stage and contract carriages. — (1) No goods shall be carried on the top deck of a double deck stage carriage.

(2) No goods liable to foul the interior of the vehicle or render it insanitary shall be carried at any time in any stage carriage or contract carriage.

(3) The State Transport Authority may specify in any permit the goods which shall not be carried in a stage carriage or contract carriage or the conditions subject to which certain classes of goods may be so carried.

(4) Subject to the provision of preceding subrules, goods may be carried in a stage carriage or contract carriage at any time in accordance with the conditions specified in the permit, provided that the obligation of the holder to carry passengers in accordance with the terms of the permit is discharged.

(5) If the holder of the stage carriage permit uses a vehicle or vehicles authorised by the permit for

the carriage of goods to the detriment of the public convenience by failing thereby to meet the demand for passenger transport, the State Transport Authority may, after giving the holder an opportunity of being heard, declare that a breach of the conditions of the permit has occurred and may thereafter proceed under the provisions of section 60.

(6) When goods are carried in a stage carriage in addition to passengers the goods shall be of such a nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger. Such number of seats as may be specified in the permit shall be kept free and unimpeded for the use of passengers and the access to the entrance to and exit from the vehicle required under Chapter V of these rules shall be unobstructed.

(7) The weight in kilograms of goods and personal luggage (other than the luggage and effects allowed under sub-rule (1) of rule 4.17) carried in a stage carriage or motor cab shall not exceed $(N \cdot X) \times 160$, the letters in the formula signifying —

N — the maximum number of passengers for which the vehicle might be registered under these rules;

X — The number of passengers carried on the vehicle, or the number of passengers for whom seats are kept free and unimpeded by goods, whichever is greater.

4.17 Carriage of personal luggage in stage or contract carriages. — (1) In case of a permit of stage carriage, it shall be a condition that the maximum free luggage of a person which may be carried is fifteen kilograms, save in the case of a City Bus where the limit of free luggage shall not exceed five kilograms provided it is carried by the passengers on his lap or underneath his seat.

(2) Subject to any directions issued by the Government, the State Transport Authority may impose on the use of any contract carriage conditions in regard to the weight of luggage and goods which may be carried therein, generally or in any specified area.

Provided that in the case of a contract carriage other than a motor cab the weight of the goods allowed shall not exceed that permitted under these rules in the case of a stage carriage.

4.18 Obligation to carry a conductor. — (1) The State Transport Authority may attach to any stage carriage permit or a permit pertaining to a goods vehicle a condition that the conductor or a cleaner shall be carried at the back of the vehicle at all times or any specified time.

(2) A condition included in a permit under sub-rule (1) may direct that a conductor shall also be carried when the vehicle is being used as a contract carriage.

4.19 Carriage of mail in a stage carriage. — The State Transport Authority may attach to any stage carriage permit a condition that the holder shall, if required, carry mail at such rate as may be fixed by the State Transport Authority in consultation with the Postal Authorities concerned.

4.20 Further conditions that may be attached to a stage carriage permit. — The State Transport

Authority may attach any stage carriage permit or contract carriage permit any one or more of the following conditions namely: —

- (a) that any passengers or goods that may be taken up within the limit of a particular municipality or any other specified area shall be conveyed outside and shall not be set down, within those limits or within that area;
- (b) that in passing along any specified route (to be referred to as a «corridor») in any specified area no passenger or goods shall be taken up or set down within that area;
- (c) that the holder of a permit for a stage carriage or a contract carriage shall provide uniforms to drivers and conductors as specified by the State Transport Authority.

4.20-A. Where stage carriage permits issued under section 48 of the Motor Vehicles Act 1939, in respect of stage carriage services contains regulations for the timings of arrival or departure of stage carriages in accordance with the provisions of clause (c) of section 48, save with the permission in writing to the State Transport Authority issuing any such permit, not more than one stage carriage at a time in any service shall be permitted to arrive at or depart from any particular place in accordance with such regulations.

4.20-B. The vehicle used by the Air Transport Companies for the conveyance of more than nine passengers excluding driver shall under sub-section (1) of section 42, obtain permits from the State Transport Authority concerned.

4.21 Restriction on the picking up of passengers by a motor cab outside the area which the vehicle is primarily intended to serve. — The State Transport Authority may at any time include in the permit of any motor-cab a condition that no passenger shall be taken into the motor-cab at any place outside the headquarters area of the motor-cab unless the passenger has applied and has contracted to be carried in the motor-cab the whole way from that place to some place within the headquarters area as aforesaid; and in such case the State Transport Authority shall specify in the permit the limit of the said headquarters area.

4.22 Condition that may be attached to a permit. — The State Transport Authority may attach to any stage carriage permit or contract carriage permit a condition that the holder shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated comfortably with the Act and the rule and with due regard for the comfort, convenience and safety of the public and of any passengers carried.

4.23 Condition that may be attached to a public carrier's permit. — The State Transport Authority may attach to any public carrier's permit: —

- (a) a condition that in passing along any specified route (to be referred to as a «corridor») in any specified area, no goods shall be taken up or set down within that area; and
- (b) a condition restricting the type and the ownership of goods which may be carried.

4.24 Transitional provisions.— (1) The Government may by notification in the Official Gazette:

- (i) declare that any permit, licence or other document issued by the competent authority within the region under the provisions of any rules made under any law or rules in force at the commencement of these rules, shall, notwithstanding that any other date of termination is written therein, be deemed to be a permit granted by the State Transport Authority in accordance with the provisions of section 42 and be and remain effective upto such date and subject to such conditions as may be specified in such notification in respect of all such permits, licences, or other documents or any such class or classes thereof; and
- (ii) call upon the holder of any permit, licence or other document referred to in clause (i) who desires to receive a permit for the State or any part thereof under the provision of the Act and rules to make an application for the same (hereinafter referred to as a first application in the appropriate form in accordance with section 45 before such date as may be specified generally or in respect of any class or classes of vehicle or in respect of any class or classes of permit, licence or other document as aforesaid.

(2) Upon receipt of first application for any permit a State Transport Authority may decline to issue a permit:—

- (i) if the vehicle is in its opinion of an unsuitable type or the certificate of fitness if any has been suspended;
- (ii) unless it is satisfied that the terms of the permit applied for correspond to the actual use of the vehicle prior to the date of application under these rules.
- (iii) if it is satisfied that any permit, licence or other document issued under any law for the time being in force and previously held by the applicant has been cancelled as a result of any offence or breach of condition;
- (iv) if it appears to the State Transport Authority that in conjunction with any other permit applied for, the grant of a permit would afford the applicant an undue advantage over other providers of roads transport or confer on him the right to ply over an excessive number of roads or throughout an unreasonably large area.

(3) It shall be a condition of any notification under clause (1) of sub-rule 1 that any permit, licence or other document in force at the date of such notification shall cease to be of effect from the date of the grant or refusal of a new permit in lieu thereof; or if the holder fails to make application by the date specified in accordance with clause (ii) of that sub-rule, then from that date.

4.25 (1) No application for the renewal of a permit shall be entertained unless it is made in writing to the State Transport Authority the permit was issued not less than two months in the case of a stage carriage permit or a public carrier's permit and not less than one month in other cases,

before the expiry of the permit. Every application for renewal shall be accompanied by Part A of the permit, and shall state the period for which the renewed is desired.

(2) The prescribed fee for entertaining an application for renewal of a permit under sub-section (3) of section 58 shall be five rupees.

(3) The State Transport Authority renewing a permit shall call upon the holder to produce Part A or Part B thereof, as the case may be, and shall endorse Parts A and B accordingly and shall return them to the holder.

4.26 Renewal of countersignatures on permits.—

(1) Subject to the provisions of Rule 4.27 application for the renewal of countersignature on a permit shall be made in writing to the State Transport Authority concerned and within the appropriate periods prescribed in Rule 4.25 and shall, subject to provisions of sub-rule 2, be accompanied by Part A of the permit. The applicant shall set forth the period for which the renewal of the countersignature is required.

(2) If at the time of application for renewal of countersignature of a permit Part A of the permit is not available, being under renewal by the Authority by which it was issued, the application shall mention the fact and shall state the number and date of the permit, the name of the Authority by which it was granted, the date of its expiry and number and date of the countersignature to be renewed.

(3) The State Transport Authority granting the renewal of a countersignature shall call upon the holder to produce Part A of the permit, if it has not been produced, and Part B or parts B of the permit and shall endorse the Parts A and B accordingly and return them to the holder.

4.27 Power of Authority renewing a permit to renew any countersignature thereon.— (1) The Authority by which the permit is renewed may, unless any Authority by which the permit has been countersigned has by general or special order otherwise directed, likewise renew any countersignature on the permit (by endorsement of the permit in the manner set forth in the appropriate Form) and shall in such case intimate the fact of the renewal to the Authority which first gave the countersignature.

(2) Unless Parts A and B of a permit have been endorsed as provided in sub-rule (1) or the period of validity of the countersignature has been extended by the Authority which first gave it, the countersignature shall cease to have effect on expiry of the period for which it was originally operative.

4.28 Permit authorising the replacement of a vehicle.— (1) If the holder of a permit relating to a particular vehicle desires at any time to replace the vehicle with another, he shall forward Part A of the permit and apply in writing to the Transport Authority by which the permit was issued stating the reasons why the replacement is desired and shall:

- (i) if the new vehicle is not in his possession, forward the certificate of registration, or
- (ii) if the new vehicle is not in his possession, state any material particulars in respect of which the new vehicle will differ from the old.

(2) Upon receipt of an application under sub-rule (1) The State Transport Authority may in its discretion reject the application —

- (i) If it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or
- (ii) if the new vehicle proposed differs in material respects from the old, or
- (iii) if the holder of the permit has contravened the provisions thereof or has been deprived of possession of the old vehicle under the provisions of hire purchase agreement:

Provided that in considering applications for new permits within its area, the State Transport Authority shall, other things being equal, give preference to an applicant who has been deprived of the permit by the operation of clause (1) of this sub-rule.

(3) If the State Transport Authority grants an application for the replacement of a vehicle under this rule, it shall call upon the holder of the permit to produce Part B of the permit and the certificate of registration of the new vehicle, if not previously delivered to it and shall correct Parts A and B of the permit accordingly under its seal and signature and return them to the holder.

(4) No fee shall be chargeable for the replacement of the vehicle under this rule.

4.29 Permit for the replacement of a vehicle forming part of a service. — (1) If the holder of a permit relating to a service of stage carriage or contract carriages desires at any time to replace any vehicle covered by a vehicle of a different type or capacity, he shall forward Part A of the permit with an application in writing to the State Transport Authority by which the permit was issued, stating the reasons why the replacement is desired and shall intimate the relevant particulars of the vehicle to be replaced and of the new vehicle.

(2) Upon receipt of an application under sub-rule (1) the State Transport Authority may in its discretion reject the application —

- (i) if it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or
- (ii) if the new vehicle differs in material respect from the old; or
- (iii) if the holder of the permit has contravened any of its provisions.

(3) If the State Transport Authority grants an application for the replacement of the vehicle under this rule, it shall call upon the holder of the permit to produce the appropriate Part B of the permit and shall correct Parts A and B of the permit accordingly under its seal and signature and return them to the holder.

4.30 Procedure on cancellation, suspension or expiry of permit. — (1) The holder of a permit may at any time surrender it to the State Transport Authority by which it was granted and the State Transport Authority shall forthwith cancel any permit so surrendered.

(2) When the State Transport Authority suspends or cancels any permit —

- (i) The holder shall surrender Parts A and B of the permit within seven days of receipt of a demand in writing by the State Transport Authority.

(3) Within fifteen days of the expiry of any permit by the efflux of time, the holder shall deliver Parts A and B or Parts B to the State Transport Authority by which it was issued.

4.31 Transfer fee. — The fees for a transfer of a permit under sub-section 1 of section 59 and section 61 shall be five rupees.

4.32 Conduct of drivers of motor cabs. — (1) The driver of a motor cab used as a contract carriage —

- (i) shall in the absence of reasonable cause to the contrary, proceed to the destination made by the hirer by the shortest and quickest route;
- (ii) shall not terminate the hiring thereof before he has been discharged by the hirer;
- (iii) shall station his motor cab in the stand in the order in which he arrives, the motor cab which has been waiting longest being stationed in the front position and the other vehicle shall move as the vacancy occurs;
- (iv) shall not allow his motor cab, when it is not engaged to remain at any public place other than the stand approved for the purpose, nor shall he loiter for the purpose of his being hired in any public place.

(2) Nothing in this rule shall render it obligatory for a person wishing to hire a motor cab at a stand to take the first cab, or restrict his freedom to choose whichever vehicle prefers.

4.33 Issue of duplicate permits. — (1) When Part A and Part B of any permit has been lost or destroyed the holder shall forthwith intimate the fact to the State Transport Authority by which the permit was issued and shall deposit the prescribed fee for the issue of a duplicate, and in the case of the loss or destruction of Part B shall also forward Part A of the permit.

(2) The State Transport Authority shall upon receipt of an application in accordance with sub-rule (1), issue a duplicate permit or part or parts of a permit, as the case may be, and to the extent that it is able to verify the facts may endorse thereon certified copies of any countersignature by other authority, intimating the fact to that Authority.

(3) A duplicate permit or duplicate part of the permit issued under this rule shall be clearly stamped «Duplicate» in red ink and the certified copy of any countersignature by any other State Transport Authority on a permit or a part of a permit made under this rule shall be valid in the region of that other authority as if it were a countersignature.

(4) When a permit or part of a permit has become so dirty, torn or defaced as in the opinion of the State Transport Authority to be illegible, the holder thereof shall surrender the permit or part of the permit, as the case may be, to the State Transport Authority and apply for the issue of a duplicate permit or part of a permit in accordance with this rule.

(5) The fee for the issue of a duplicate permit or part of a permit shall be five rupees.

(6) Any permit or part of permit which is found by any person shall be delivered by that person to the nearest police station or to the holder or to the State Transport Authority by which it was issued and if the holder finds or receive any permit or part of a permit in respect of which a duplicate has been issued, he shall return the original to the State Transport Authority by which it was issued.

4.34 Variation of permits. — (1) Upon application made in writing by the holder of any permit, the State Transport Authority may at any time in its discretion vary the permit or any of the conditions thereof subject to the provision of the following sub-rule.

(2) Where a representation has been made by any person in connection with the grant of a stage carriage permit or a public carrier's permit under sub-section (1) of section 47 and section 55, the State Transport Authority shall not subsequent to the issue of a permit vary the permit or any condition thereof in a manner prejudicial to any person by whom such representation has been made unless the State Transport Authority has afforded such person a reasonable opportunity of making representation in respect of the proposed variation.

(3) Notwithstanding the provisions of sub-rule (2) the State Transport Authority may vary any stage carriage permit or public carriers' permit without affording any person an opportunity of making a representation if in the opinion of the State Transport Authority the representation made by such person in respect of the issue or renewal of the permit was frivolous or vexatious, or involves a question of principle which has already been decided by a ruling of the State Transport Authority which has not been modified upon appeal.

4.35 Production of permit. — (1) Part A of a permit shall be produced on demand made at any reasonable time by any member of the State Transport Authority or any police officer not below the rank of Inspector or officer of the Motor Vehicles Department not below the rank of Assistant Inspector of Motor Vehicles.

(2) Any police officer in uniform or Inspector or Assistant Inspector of Motor Vehicles may mount any transport vehicle for the purpose of inspecting part B of the permit.

4.36 Appeals against orders of a State Transport Authority. — (1) The authority to decide an appeal against the orders of the State Transport Authority or of other officer or authority to whom its powers are delegated under clause (a), (b), (c), (d), (e) and (f) of section 64 of the Act shall be the Secretary to the Government.

(2) A Person desiring to prefer an appeal against an order of the State Transport Authority in respect of any order of the kind referred to in sub-rule (1) shall within thirty days of the receipt of the order prefer a memorandum (in duplicate) to the appellate authority setting forth concisely the grounds of objection to the order of the State Transport Authority together with a certified copy of that order.

(3) Upon receipt of an appeal in accordance with sub-rule (1), the appellate authority shall appoint a

time and place for hearing of the appeal giving the appellant not less than thirty days' notice, and may order the applicant to deposit a fee not exceeding twenty rupees.

(4) Any person preferring an appeal under the provisions of Act and of this rule shall be entitled to obtain a copy of any document filed with the State Transport Authority in connection with any order against which he is appealing on payment of a fee at the rate of fifty paise per page of about two hundred words.

(5) An appeal shall not operate as a stay of the order appeal from nor shall the appellate authority make any ex parte order for stay pending the hearing of the appeal. The appellate authority shall not decide any appeal or pass any order thereon unless an opportunity of being heard has been given to the appellant, the respondent if any, and the State Transport Authority which passed the order appealed against.

4.37 (i) A person desirous of seeking relief under clause (h) of section 64, shall, within thirty days of the receipt of the order of the appellate authority, prefer a memorandum (in duplicate) to the Government of Goa, Daman and Diu (hereinafter referred to as the revising authority) setting forth concisely the grounds of objection to the order of the appellate authority together with a certified copy of that order.

(ii) Upon receipt of the memorandum the revising authority may appoint a time and place for the hearing thereof giving the person preferring the memorandum not less than thirty days notice.

(iii) the revising authority shall not decide the matter in the memorandum or pass any order in relation thereto unless an opportunity of being heard has been given to the person who preferred the memorandum, the State Transport Authority and any other person affected by the appellate order.

(iv) Any person preferring the memorandum shall be entitled to obtain a copy of any document filed with the Transport Authority or with the Appellate Authority in connection with his memorandum or of the order of the revising authority after paying a fee of rupees five.

4.38 Procedure in hearing appeals. — On the Appellate Authority appointing a time and place for a hearing under rule 4.37 the appellant shall, within fourteen days of the receipt of intimation that a hearing will take place, forward to the Appellate Authority a list of the documents upon which he proposes to rely, together with copies of such documents in duplicate, and may, upon the appointed date and subsequent hearing appear either in person or through an agent or representative authorised by him in writing in this behalf.

4.39 Refund of fee on appeals. — The Appellate Authority hearing an appeal under the provisions of rule 4.37 may, if the appellant succeeds in his appeal, order the refund to him of the whole or part of the fee deposited by him.

4.40 Hours of work. — The provisions of sub-section (1) of section 65 shall not apply in the case of —

(1) any transport vehicle used by or on behalf of any military or police authority in connection with military manoeuvres or exercise or in the quelling of any riot or civil disturbance;

(2) any fire brigade vehicle or ambulance when being used as such;

(3) any vehicle being used for the carriage of passengers or goods in an emergency arising out of fire, earthquake, flood, pestilence or other calamity, riot or civil disturbance;

(4) any vehicle going for or returning with medical aid in an emergency or carrying any seriously injured or sick person for medical treatment, when no other means are available.

(5) any vehicle proceeding to the nearest place of halt at which the driver and other occupants can reasonably obtain shelter and refreshment, after a delay in the journey arising out of the provision of section 87 or section 89 or out of the failure of any of the tyres or of the machinery, of the vehicle, which failure could not have been prevented by the exercise of reasonable care and diligence.

4.41 Definition of period of rest. — (1) Any time spent by the driver of a vehicle on work other than driving in connection with the vehicle or with the load carried or to be carried on the vehicle including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall not be deemed to be an interval of rest for the purpose of clause (a) in sub-section (1) of section 65.

(2) Any time spent by the driver of a vehicle on or near the vehicle when the vehicle is at rest and the driver is at liberty to leave the vehicle for rest and refreshment although required to remain within sight of the vehicle shall be deemed to be an interval of rest for the said purpose.

4.41-A. Persons employing any persons whose work is subject to any of the provisions of sub-section 1 of section 65, shall fix the hours of work of such persons so as to conform with those provisions and shall record the working hours in form prescribed below. This record will be open to inspection by any Police Officer or any officer of the Transport Department on demand.

Name of the employee			Month
Date	Working hours in a day	Hours of rest	Total number of working hours in a week
1	2	3	4

4.42 Conduct and duties of drivers of public service vehicles. — The driver of a public service vehicle: (i) shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the driver's seat in accordance with rule 5.35 or otherwise in such a way as to impede his vision of the road or proper control of the vehicle;

(ii) shall not shout in order to attract a passenger;

(iii) shall, subject to any rules or regulations in force prohibiting the taking up or setting down of passengers at, or except at certain specified places, bring the vehicle to rest for a sufficient period of time in a safe and convenient position upon the demand or signal of the conductor or of any passenger desiring to alight from the vehicle, and unless there

is no accommodation in the vehicle upon the demand or signal of any person desiring to become a passenger;

(iv) shall not, when bringing his vehicle to rest for the purpose of picking up or setting down any passenger at or near the place where another public service vehicle is at rest for the same purpose, drive the vehicle so as to endanger, inconvenience or interfere with the driver of the other vehicle or any person mounting or preparing to mount thereon or alighting therefrom, and shall bring his vehicle to rest in front of or behind the other vehicle and on the left hand side of the road or place; and

(v) shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it or any brake, tyre or lamp thereof is in a defective condition likely to endanger any passenger or other person or when there is not sufficient petrol in the tank of the vehicle to enable him to reach the next petrol filling station on the route.

4.43 Duties of drivers and conductors of public service vehicles. — The driver and the conductor of a public service vehicle:

(i) shall as far as may be reasonably possible having regard to his duties, be responsible for the due observance of the provisions of the Act and of these rules and of any conditions of the permit relating to the vehicles;

(ii) shall not smoke in or on a vehicle during a journey or when it has passengers on board;

(iii) shall behave in a civil and orderly manner to passengers and intending passengers;

(iv) shall be cleanly dressed in such manner as the State Transport Authority may specify;

(v) shall maintain the vehicle in a clean and sanitary condition;

(vi) shall not interfere with persons mounting or preparing to mount upon any other vehicle;

(vii) shall not allow any person to be carried in any public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of the permit to be carried standing in the vehicle;

(viii) shall not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey;

(ix) shall not, save for good and sufficient reason, refuse to carry any person tendering the legal fare;

(x) shall, where goods are carried on the vehicle in addition to passengers, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods;

(xi) shall not, save for good and sufficient reason require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;

(xii) shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time-table pertaining to the vehicle, or where there is no such time-table with all reasonable despatch;

(xiii) shall, in the event of a stage carriage being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or the conductor, arrange to convey the passengers to their destination in some other simi-

lar vehicle, or, if unable so to arrange within a period of one hour after the failure of the vehicle shall on demand refund to each passenger a proper proportion of the fare relating to the completion of the journey for which the passenger had paid the fare; and

(xiv) shall not, in the case of a stage carriage, cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers.

(xv) shall, when using a stand, pay the fees fixed under sub-rule (5) of rule 7.12 and comply with any relevant condition subject to which the place is authorised as a stand; and

(xvi) shall take due care for the safe carriage of luggage belonging to the passengers;

(xvii) shall take reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;

(xviii) shall not, when the vehicle is in motion, distract his attention without reasonable cause or speak to any person unless it is absolutely necessary so to do;

(xix) shall take all reasonable precaution to ensure that all means provided for indicating the route fares and destination of the vehicle are clearly and correctly displayed in or on the vehicle;

(xx) shall follow the signalling devices provided for starting and stopping the vehicle and in no circumstances must the vehicle be started by shouting to the drivers stamping feet, tapping on the partition or by other unauthorised methods of signalling;

(xxi) shall collect the fares from and issue tickets to passengers immediately after they have entered the bus;

(xxii) shall not argue with passengers and must give his name, number, etc., when asked to do so; and

(xxiii) shall not come on duty under the influence of any intoxicant.

4.44. Lost property. — (1) In the case of public service vehicles owned by private operators the conductor or if there is no conductor, the driver shall at the conclusion of a journey, make search in the vehicle for anything left by any passenger and shall take into his custody any thing so found and upon the first opportunity shall make over the same to a responsible person at any office of the permit holder or to an officer of a police station and shall likewise take into custody and dispose of anything so found by any other person. The responsible person at any office or station of the holder of the permit of the vehicle receiving the unclaimed goods shall keep them safe and if the goods are not claimed by the owner or any other person appearing to him to be entitled thereto, shall if such owner or person is known cause a notice to be served upon him requiring him to remove the goods. If such owner or person is not known or a notice cannot be served upon him or he does not comply with the requisition in the notice, such property shall be deposited with the nearest police station as unclaimed property after three months of taking over charge thereof. If the goods are of perishable nature and are not claimed within forty eight hours they shall be disposed of by the responsible person at the station of the holder of the permit by public auction and the receipts thereof shall be handed over to the owner if claimed within a week after which they shall be deposited with the nearest police station.

(2) In the case of Government owned vehicle the condutor, or if there is no condutor the driver shall

deposit the goods with Transport Administration and if the goods are not claimed by the owner or any other person appearing to the transport Administration to be entitled thereto, the Transport Administration, if such owner or person is known, cause a notice to be served upon him; requiring him to remove the goods. If such owner or person is not known, or a notice cannot be served upon him or he does not comply with the requisition in the notice, the local manager employed by the Transport Administration may after three months of taking over charge of the goods sell it by public auction and proceed thereof shall be credited in to the Government treasury. If the goods are of perishable nature and are not claimed within forty eight hours, they shall be disposed of by the local manager by public auction and the receipt thereof credited into the Government treasury.

(3) If the goods are claimed within the period specified, a charge of six paise per 37 kilograms or a part thereof for twenty four hours or fraction thereof subject to a minimum charge of twelve paise shall be levied. The unclaimed articles shall also be liable to these charges on account of their custody and disposal.

(4) Where articles such as arms, amunitions, explosives, intoxicating liquors, opium and its preparations hemp and drugs the sale of which is prohibited by law, are left unclaimed, they shall be made over to the police or excise authorities for disposal under the laws affecting the articles.

(5) Proper accounts shall be maintained in a separate register which shall be opened for inspection to the Transport Authority.

4.45 Conduct of passengers in a stage carriage. — If at any time a passenger in a stage carriage —

- (i) behaves in a disorderly manner, or
- (ii) behaves in a manner likely to cause annoyance to any female passenger, or
- (iii) uses abusive language, or
- (iv) molests any other passenger, or
- (v) smokes, when smoking is prohibited, or when the vehicle is re-fueled, or
- (vi) spits, or
- (vii) obstruct the conductor or the driver or any authorised employee of the service in the execution of his duties or interferes without due cause with the driving of the vehicle, or
- (viii) intentionally avoids payment of the fare or
- (ix) interferes without due causes with the conductor or driving of the vehicle; or
- (x) refuses to show any ticket on demand by any authorised person;
- (xi) uses or attempts to use any ticket which has been altered or defaced or (in the case of a ticket bearing an indication that it is not transferable) issued to another person; or
- (xii) is reasonably suspected to be suffering from any contagious or infectious disease, or
- (xiii) commits or abets any offence under the Act or these Rules, or
- (xiv) uses or attempts a ticket other than the ticket valid for a particular journey, or
- (xv) carries with him in the vehicle luggage of a description which is likely to obstruct, annoy or inconvenience or be offensive to any other passenger, or
- (xvi) occupies accommodation for more than one seat or without lawful excuse, occupies any seat exclusively reserved for ladies, or

(xvii) refuses to pay a fresh fare for the journey performed by him if he has so altered or defaced his ticket he has to render his contents illegible, or

(xviii) is found travelling without ticket pertaining to the journey being performed by the vehicle at the time of his being so found, he shall be liable to pay double the ordinary fare and if refuses to do so, or

(xix) refuses to leave the vehicle if so requested by the conductor or driver at the completion of the journey for which he has paid the fare, or

(xx) knowingly enters and insists on travelling in a vehicle which is carrying the maximum number of passengers of prescribed for the vehicle, or

(xxi) hangs on to any exterior part of a vehicle, or

(xxii) wilfully damages, soils, removes or interferes with any fittings equipment in or on the vehicle, or

(xxiii) enters or alights from a vehicle by the entrance or exit provided for the purpose, or

(xxiv) attempts to enter a vehicle without first permitting passengers who have completed their journey or alight, or

(xxv) enters or leaves a vehicle except in a queue and in an orderly manner, or

(xxvi) distributes printed or similar matter of any description or distributes any articles for the purpose of advertisement, or

(xxvii) to the annoyance of other passengers uses or operates any noisy instrument or makes or combines with any person or persons to make any excessive noise or otherwise, or

(xxviii) begs, or offers for sale any article in or on the vehicle,

the driver or the conductor or any authorised person of the service may require such passenger to alight from the vehicle and may stop the vehicle and keep it standing until the passenger has alighted, or on the request of the driver or conductor may be removed from the vehicle by any Police Officer or any Gazetted Officer of Government Transport Service. Such passenger shall not refuse to give his correct name and address on demand for contravention of these rules, and shall not be entitled to the refund of any fares which he may have paid, and shall also be guilty of an offence.

4.46 Carriage of children and infants in a public service vehicle.— In relation of the number of persons permitted to be carried in a public service vehicle —

(i) child of not more than twelve years of age shall be reckoned as a half, and

(ii) a child of not more than three years shall not be reckoned.

4.47 Licensing of conductors.— (1) No person shall work as a conductor of a stage carriage, and no employer shall so employ any person on any route or in any area specified by the State Transport Authority, unless such person holds a conductor's licence in form L. Con. granted by a Licensing Authority in the State.

(2) A conductor's licence shall not be granted by a Licensing Authority until the applicant produces a medical certificate in Form F. A. B. to show that he is qualified to render first aid. If any person duly authorised, before 1st January, 1965 as a conductor of Public Service Vehicle fails, within a period of 12 months from the said date, to produce the required

Medical Certificate, he shall be liable to be disqualified from obtaining conductor's licence.

(3) A conductor's licence shall be valid for a period of not less than one year and not more than three years from the date of issue or renewal and shall be effective throughout the State.

(4) A conductor's licence issued by any other competent authority in India shall not be effective in the State unless countersigned under the authority of a Licensing Authority.

(5) Applications for the grant of countersignature of a conductor's licence shall be made in writing to the Licensing Authority of the district where the applicant resides or normally works in Form L. Con. A, and in the case of an application for the grant of a licence shall be accompanied by two copies of a recent photograph of the applicant and by the fee, prescribed in rule (8).

(6) In the case of an application for the grant of licence, if the Licensing Authority has reason to suppose that the applicant is physically unfit to perform the duties of a conductor, the authority may call upon him to produce a medical certificate of fitness in Form M. C. Con. signed by a registered medical practitioner, and in such case the applicant shall furnish a third copy of a photograph prescribed in sub-rule (5) which shall be firmly affixed to the medical certificate of fitness and shall be signed or sealed by the registered medical practitioner.

(7) No person under the age of eighteen years shall hold a conductor's licence.

(8) The fee for a conductor's licence and for the renewal of a conductor's licence shall be one rupee for a period of one year for which the licence is granted or renewed.

(9) Any Licensing Authority, on application made to it accompanied by the prescribed fee, renew a conductor's licence.

Provided that when the authority renewing the licence is not the original authority it shall intimate the fact to such renewal to the authority which issued the licence.

(10) If at any time a conductor's licence is lost or destroyed or becomes illegible or the photograph attached thereto ceases in the opinion of the authority by which the licence was granted to be a reasonable likeness of the holder, that authority shall proceed as if the conductor's licence were a driving licence:

Provided that the fee for the issue of a duplicate conductor's licence shall be one rupee.

(11) A Licensing Authority may decline to issue a conductor's licence or to countersign a conductor's licence if he is satisfied —

- (i) that the applicant's knowledge of the provisions of the Act and of these rules and of the duties and powers of a conductor thereunder is inadequate to enable him to perform the duties of a conductor, or
- (ii) that the applicant was at any time was the holder of conductor's or a driving licence which has been cancelled for misconduct; or
- (iii) that the character or physique of the applicant is such as to render him an unsuitable person to hold a conductor's licence;

and may likewise decline to renew a conductor's licence.

(12) A Licensing Authority may for reasons to be recorded in writing suspend or cancel a conductor's licence issued by itself or any other Licensing Authority, or any countersignature granted according to sub-rule (4) of this rule. Where a Licensing Authority suspends or cancels a licence or countersignature granted by another Authority, it shall communicate the particulars to that Authority.

(13) Any court by which a conductor is convicted of any offence in connection with his duty as a conductor may cancel the conductor's licence.

(14) A conductor of a stage carriage shall on demand by any police officer in uniform produces his conductor licence for inspection; provided that if at the time of his licence is demanded he is displaying the badge prescribed in rule 4.49 it shall be sufficient compliance with sub-rule if he produces the licence within forty eight hours at any police station in India except Jammu and Kashmir which he specifies to the police officer making the demand.

(15) No person shall hold more than one conductor's licence effective in the same region.

(16) The Licensing Authority may by notification in the Official Gazette declare that such of these rules as are applicable to drivers or to driver's licences as may be specified in the said notification shall apply to conductors or to conductor's licences as the case may be.

(17) In all matters relating to the grant countersignature, suspension and cancellation of conductor's licences, the Licensing Authority shall act under the control of the State Transport Authority.

4.47-A Appellate Authority.—The authority to whom an appeal may be made:—

- (a) Under sub-section (2) of section 21-E and sub-section (4) of section 21-F against the order of the Licensing Authority shall be the Secretary to the Government.
- (b) Under sub-section (4) of section 31-F of the Act against the order of the State Transport Authority shall be Government.

4.47-B Conduct and hearing of appeals.—(1) An appeal under rule 4.47-A shall be preferred in duplicate and in the form of a memorandum one copy of which shall bear a court fee of one rupee, setting forth concisely the grounds of objection to the order of the Licensing Authority or the State Transport Authority as the case may be, and shall be accompanied by a certified copy of that order.

(2) When an appeal is preferred, the Appellate Authority shall issue a notice to the authority against whose order the appeal is preferred.

(3) The Appellate Authority, after giving an opportunity to the parties to be heard, and after such further inquiry, if any, as it may deem necessary, may confirm, vary, or set aside the order from which the appeal is preferred and shall make an order accordingly.

(4) The persons preferring appeal shall be entitled to obtain a copy of any document filed with the Licensing Authority or the State Transport Authority, as the case may be, in connection with any order appealed against on payment of a fee at the rate of fifty paise per page of about 200 words.

4.48 Driver's badge.—(1) The driver of a Stage carriage or a contract carriage shall display on his left breast a metal badge in the form illustrated in the second Schedule to these rules issued to him by and inscribed with the name of the authority by which an authorisation to drive a state carriage or a contract carriage has been granted and the word «DRIVER» together with an identification number.

(2) A driver of a stage carriage or a contract carriage shall not hold more than one such badge issued by an authority in the State.

(3) The fee for the issue of a badge as aforesaid shall be three rupees. If the badge is lost or destroyed a duplicate badge shall be issued by the authority by which it was issued on payment of three rupees.

(4) If at any time the authorisation on a driver's licence entitling him to drive a Stage Carriage or a contract carriage is suspended or revoked by any authority or by any court of ceases to be valid by the efflux of time the driver shall within seven days surrender the badge to the authority by which it was issued.

4.49 Conductor's badge.—(1) The conductor of a Stage carriage shall display on his left breast a metal badge in the form illustrated in the Third Schedule to these rules issued by and inscribed with the name of the authority by which the conductor's licence is granted and the word «Conductor» together with an identification number.

(2) A conductor shall not hold more than one such badge issued by an authority in the State.

(3) The fee for the issue of a conductor's badge as aforesaid shall be three rupees. If the badge is lost or destroyed a duplicate badge shall be issued, by the authority which issued it, on payment of three rupees.

(4) If at any time a conductor's licence is suspended or cancelled by competent authority or by any court or ceases to be valid by the efflux of time, the conductor shall within seven days surrender the badge to the authority by which it was issued.

4.50 Badge not to be transferred.—(1) No driver and no conductor shall lend or transfer the badge prescribed in these rules to any other person, and no driver or conductor shall wear a badge other than one issued to him by the authority referred to in sub-rule (1) of rule 4.48 or sub-rule (1) of rule 4.49.

(2) Any person finding a driver's or a conductor's badge shall, unless he returns the same to the holder forthwith surrender it to the authority by which it was issued or to a police officer.

4.51 Prohibition on use of force to collect passengers.—No driver or conductor of a public service vehicle or agent for the sale of tickets shall touch, annoy or use force to any person with the object of inducing that person or any other to travel in any public service vehicle, or shout loudly or use any horn, bell, gong, whistle, gramophone, loud speaker, musical instrument or other device for creating a loud noise with the object of attracting passengers.

4.52 Sale of tickets.—In any area to which this rule may be applied by the State Government, no driver or conductor of a public service vehicle or

agent for the sale of tickets in a public service vehicle shall sell or attempt to sell tickets or solicit custom in any place which has been notified by the Licensing Authority by public proclamation or in such other manner as he may find convenient, as a place in which such sale or soliciting is not permitted.

4.53 Licensing of ticket agents in certain areas.—

(1) In any district or other area to which this rule may be applied by the State Government, no person shall act as an agent for the sale of tickets for travel by a public service vehicle, otherwise than in the vehicle itself or in a fixed office, unless he has obtained from the Licensing Authority a licence permitting him to do so.

(2) For the purpose of the preceding sub-rule any person soliciting or attempting to persuade another person to travel in a vehicle shall be deemed to be acting as an agent for the sale of tickets for travel hereby.

4.54 Issue of ticket agents licence.— (1) Licences under the preceding rule shall consist of a permit in the Form T A P.

(2) No licence shall be issued to any agent except on the application of the person or company, being the holder of a permit for one or more public service vehicles, for whom the agent is to act. The person or company making the application (hereinafter called the «principal») shall be required to complete and authenticate the first part of the permit in form TAP, the other entries being completed by or under the orders of the Licensing Authority.

4.55 Cancellation of ticket agent's licence.— The Licensing Authority shall forthwith cancel any licence issued under rule 4.53 upon request made to him by the principal on whose application it was granted.

(2) A principal proposing to apply for the cancellation of the licence issued to an agent on his application may call on the agent to surrender the permit and badge, and the agent shall be bound forthwith to surrender the same to the principal.

(3) Where a principal requires any agent to surrender his badge and permit under the preceding sub-rule he shall forward the same, with his application for the cancellation of the licence, to the Licensing Authority with the least possible delay and in any case within forty-eight hours.

4.56 Term of ticket agent's licence.— Unless a shorter term is appointed, an agent's licence shall be valid for one year from the date of issue or renewal, but may be cancelled at any time by the Licensing Authority if it appears to him that the conduct of the agent in his relations with the public has been unsatisfactory or that the agent is not a suitable person to continue as such.

4.57 Production of licence on demand.— (1) An agent licensed under rule 4.53 shall carry his licence on his person at all times when he is engaged in his duties.

(2) The agent shall be bound to exhibit his permit on the demand of any person whose custom he has sought to secure or of any police officer in uniform of or above the rank of head constable.

4.58 Appeals.— All orders made by the Licensing Authority under Rules 4.54, 4.55 and 4.56 shall be appealable to the Secretary to Government, whose decision shall be final.

4.58-A Conduct of agents engaged for the sale of tickets for travel by public vehicle service.— The agent engaged for the sale of tickets for travel by public service vehicles:—

(i) shall behave in a civil and orderly manner with passengers or intending passengers;

(ii) shall not behave in a manner likely to cause annoyance or embarrassment to any female passengers;

(iii) shall not use abusive language towards any passenger or molest him;

(iv) shall not save for good and sufficient reasons refuse to issue a ticket to any intending passenger tendering the legal fare;

(v) shall not make any distinction between passengers;

(vi) shall not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare, for any journey;

(vii) shall properly guide the passengers to enable them to board the vehicle for which tickets have been issued to them;

(viii) shall not altercation with passengers and shall give them his name and licence number if asked to do so;

(ix) shall not be under the influence of any intoxicant while on duty;

(x) shall be dressed in such a manner as the State Transport Authority may specify and shall observe cleanliness.

4.59 Prohibition on the carriage in public service vehicles of persons suffering from infectious or contagious disease.— (1) No driver and no conductor of a public service vehicle shall cause or allow to enter into or to be placed or carried in the vehicle any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease.

(2) Notwithstanding the provisions of subrule (1) the driver and the conductor may upon application in writing by a registered medical practitioner allow a person suffering from an infectious or contagious disease to be carried in a public service vehicle; provided that no other person save a person or persons in attendance on the sick person shall be carried in the vehicle at the same time.

(3) When a person suffering from an infectious or contagious disease or the corpse of any person has been carried in a public service vehicle, the driver and the conductor of the vehicle shall be responsible that the fact is reported to a Medical Officer of Health and to the owner of the vehicle, and neither the owner nor the driver nor the conductor shall cause or allow any person to use the vehicle until the driver and the conductor and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.

4.59-A All public service vehicles shall be disinfected with D. D. T. (or Grammexane formulations)

after every two months and the owner shall furnish to the State Transport Authority a certificate to that effect, duly signed by the District Medical Officer of Health or any other officer authorised by him in that behalf. The period of two months shall count from the date of the last certificate furnished as aforesaid.

Provided that if adequate arrangements for the disinfection of buses are made by any Transport Service at its own premises to the satisfaction of the District Medical Officer of Health a certificate of disinfection by the Manager of the said service shall be sufficient.

4.60 Carriage of persons in goods vehicle. — (1) Save in the case of a vehicle which is being used for the carriage of troops of police or in the case of a stage carriage in which the goods are being carried in addition to passengers no person shall be carried in a goods vehicle other than a bonafide employee of the owner of the hirer of the vehicle and except in accordance with this rule.

The owner of goods vehicle may also travel in it for a purpose connected with the bonafide business of the vehicle.

(2) No person shall be carried in the cab of a goods vehicle beyond the number for which there is seating accommodation at the rate of 380 millimetres (measured along the seat excluding the space reserved for the driver) for each person, and not more than six persons in all in addition to the driver shall be carried in any goods vehicle.

Provided that in the case of goods vehicle owned by Government, carriage of more than six persons may be allowed by the State Transport Authority. Provided that such number shall not exceed the area in square feet of the floor of the vehicle divided by seven.

(3) No person shall be carried upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle, and in no case shall any person be carried in a goods vehicle in such a manner that any part of his person when he is in a sitting position, is at a height exceeding 3.048 metres from the surface upon which the vehicle rests.

(4) Notwithstanding the provisions of subrule (2) the State Transport Authority may, as a condition of a permit granted for any goods vehicle, specify the conditions subject to which a larger number of persons may be carried in the vehicle, provided that such number shall not exceed the area in square metre of the floor of the vehicle divided by 63.

(5) Nothing contained in this rule shall be deemed to authorise the carriage of any person for hire or reward in any vehicle unless there is in force in respect of the vehicle a permit authorising the use of the vehicle for such purpose and save in accordance with the provisions of such permit.

(6) The provisions of this rule shall not apply to motor vehicles registered under section (39).

4.60-A Carriage of animals in goods vehicle. — (1) No cattle shall be carried in a goods vehicle in a public place unless: —

- (i) the load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of 1.05 metres measured from the floor of the vehicle on all sides and the back; and

- (ii) the cattle are properly secured by ropes tied to the side of the vehicle.

(2) When carrying cattle in a goods vehicle, the owner of the vehicle shall:

- (i) in the case of goats, sheep, pigs, deer, rams, ewes, kids and the like, not carry more than 40 at a time when the wheel base of such vehicle is below 3.6 metres and more than 50 when the wheel base of such vehicle is 3.6 metres or above.
- (ii) in the case of any other cattle, not carry more than 4 with calves/young ones or 5 without calves/young ones when the wheel base is below 3.6 metres and not carry more than 5 with calves/young ones or 6 without calves young ones when the wheel base of such vehicles is 3.6 metres or above.

Explanation. — For the purpose of sub-rule (2) the expression «cattle» includes buffalo, bull, ox, cow, horse, pony mule, ass, gelding, colt, filly and calves.

(3) No animal belonging to or intended for a circus manager or zoo shall be carried in goods vehicle in public place unless.

- (i) in the case of wild ferocious animal, a suitable cage, either separate from or integral with the load body of the vehicle used, of sufficient strength to contain the animal securely at all times is provided; and
- (ii) reasonable floor space for each animal is provided in the vehicle.

(4) No cattle under sub-rule (1) or animal sub-rule (2) shall be carried for more than 320 kilometres at a stretch.

(5) No goods vehicles when carrying any cattle under sub-rule (1) or any animal under sub-rule (3) shall be driven at a speed in excess of 25 kilometres per hour.

4.61 Log-books and complaint books to be maintained by the drivers of certain transport vehicles. — (1) The driver of every contract carriage other than a motor cab, and of every goods vehicle for which a public carrier's permit has been granted, shall maintain a log-book and shall enter particulars of every hiring therein.

(2) The particulars to be entered in the log-book shall be in the case of a contract carriage —

- (a) the name of the hirer, with sufficient particulars to enable him to be identified,
- (b) the approximate number of persons included in the party,
- (c) the starting point and finishing point of the trip and the route to be followed,
- (d) the date and time from which the hiring has effect,
- (e) the date and time when the journey is expected to be completed, and
- (f) the nature and weight of any goods carried; and in the case of a goods vehicle, —
- (g) Serial No.
- (h) Name of drivers.
- (i) Hours of duty.

From To

- (j) Description and weight of goods.
- (k) Place and time with date of despatch.

- (l) Destination with probable time of arrival.
- (m) Distance.
- (n) Amount of freight charged.
- (o) Name and address of the consignor.
- (p) Name and address of the consignee.
- (q) Signature and designation of Inspecting Officer.
- (r) Remarks.

Provided that in the case of a vehicle carrying miscellaneous goods belonging to a number of owners of the record of each consignment shall be kept in the standard way bill form in the following form:

Name of the Co.		Vehicle No.	
Driver's name.			
Consignor	Consignee	To From	Nature of goods and weight
			Distance Freight Remarks
Rs. Ps.			

(3) The particulars required by the preceding sub-rule shall be entered in the log-book before the passengers or goods are taken into the vehicle and before the journey is begun.

(4) The provision of this rule shall apply also to any stage carriage authorised for use as a contract vehicle or for the carriage of goods, in so far as the vehicle is used for either of those purposes.

(5) Log books required to be maintained under this rule shall be signed and stamped by the Secretary of the State Transport Authority, and be produced by the driver at any time when the vehicle is on the road or at any time on the demand of any Police Officer not below the rank of Head Constable or such other Officer as may be authorised by the State Government in this behalf.

(6) A complaint book shall be kept on every stage carriage and shall be maintained in a clean and tidy condition by the conductor and shall be produced by him on the demand of any passenger, who shall be at liberty to make an entry therein.

4.61-A Log book to be maintained by the driver of the vehicle for which a private carrier permit has been granted. — (1) The driver of every motor vehicle for which a private carrier permit has been granted shall maintain a log book and shall enter therein the following particulars before the commencement of every journey: —

- (a) Serial no.
- (b) Description and weight of goods.
- (c) Place, time and date of despatch.
- (d) Destination.
- (e) Time of arrival at the destination.
- (f) Distance.
- (g) Name and address of the consignor.
- (h) Signature and designation of Inspecting Officer.
- (i) Remarks.

(2) Log books required to be maintained under sub-rule (1) shall be produced by the driver at any time when the vehicle is on the road or at any time on demand by police officer not below the rank of

Head Constable or such other officer as may be authorised by the State Government in this behalf.

4.62 Other records to be maintained. — (1) The State Transport Authority may, by general or special order require the holder of a permit in respect of any transport vehicle to maintain records and submit returns in respect of the vehicle in such form as the Authority may specify and such records and returns may include particulars of the daily use of the vehicle in respect of —

- (i) the name and licence number of the driver and the conductor and other attendant, if any,
- (ii) the route upon which or the area within which the vehicle was used;
- (iii) the number of kilometres travelled;
- (iv) the times of commencement and termination of a journey and of any halts of a journey when the driver obtained rest;
- (v) the weight of goods carried between specified places and the nature of goods.
- (vi) in the case of goods carried in a stage carriage the number of trips and the kilometres when goods were carried solely and when goods were carried in addition to passengers, and in the latter case the number of the seats available for passengers.

(2) No owner or any other person shall cause or allow any person to drive a transport vehicle unless the owner or other person has in his possession a record in writing of the name and address of the driver as set forth in his driving licence, the number of the licence and the name of the authority by which it was issued.

4.63 Change of address of permit holder. — (1) If the holder of a permit ceases to reside or to have his place of business, as the case may be, at the address set forth in the permit, he shall within fourteen days send Part A of the permit to the Transport Authority by which the permit was issued intimating the new address.

(2) Upon receipt of intimation under sub-rule (1) the State Transport Authority shall after making such inquiries as it deems fit, enter in the permit the new address and shall intimate the particulars to the authority of any state in which the permit is valid by virtue of countersignature or otherwise.

4.64 Intimation of damage to or failure of a public service vehicle. — (1) The holder of any stage carriage or contract carriage permit shall within seven days of the occurrence report in writing to the Transport Authority by which the permit was issued any failure of or damage to such vehicle or to any part thereof, if the failure or damage is of such a nature as to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three days.

(2) The holder of any permit in respect of a service of stage carriages shall within seven days of the occurrence report in writing to the Transport Authority by which the permit was issued, any failure of or damage to such vehicle used by him under the authority of the permit of such a nature as to prevent the holder from complying with any of the provisions or conditions of the permit for a period exceeding three days.

(3) Upon receipt of a report under the preceding sub-rules, the Transport Authority by which the permit was issued may, subject to the provisions of rule 4.29 and 4.30 —

- (i) direct the holder of the permit within such period, not exceeding two months from the date of the occurrence, as the authority may specify either to make good the damage to or failure of the vehicle or to provide a substitute vehicle, or
- (ii) If the damage to or failure of the vehicle is such that in the opinion of the said authority it cannot be made good within a period of two months from the date of the occurrence, direct the holder of the permit to provide a substitute vehicle.

and when the holder of the permit fails to comply with such a direction, may suspend, cancel or vary the permit accordingly.

(4) This rule shall not have effect in any State until the Government by general order so directs.

4.65 Alteration to motor vehicle. — (1) The owner of a transport vehicle, or if the owner is not the holder of the permit, shall, at the time when the report required by section 32 is made to the Registering Authority, forward a copy thereof to the Transport Authority by which the permit relating to the vehicle was granted, or in the case of a permit relating to a service of stage carriages, to the Transport Authority by which the permit was granted under which the vehicle is being used.

Provided that the engine in a transport vehicle shall not be changed except with the previous approval of the Registering Authority.

(2) Upon receipt of a report under sub-rule (1) the Transport Authority by which the permit was issued may if the alteration is such as to contravene any of the provision of the conditions of the permit.

- (i) vary the permit accordingly, or
- (ii) require the permit holder to provide a substitute vehicle within such period as the authority may specify, and if the holder fails to comply with such requirement cancel or suspend the permit.

4.66 Provisions as to trailer. — (1) No trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle.

(2) Save in the case of a trailer being used for the carriage of troops of police or in the case of a trailer used for agricultural purposes or for carriage of construction material and carrying not more than six persons including the attendant no person other than the attendant or attendants required by rules 6.21 shall be carried on a trailer.

(3) Subject to the provision of sub-rule (4) all the provisions of these rules relating to the private carrier's permit or to a public carrier's permit shall apply to any trailer used for the purposes of a private carrier or a public carrier, as the case may be.

(4) The State Transport Authority granting or countersigning a private carrier's permit or a public carrier's permit may require, as a condition of the permit or of the countersignature as the case may be, that no trailer or that not more than one trailer

or that no trailer of a specified description shall be attached to any transport vehicle covered by the permit.

4.67 Inspection of transport vehicle and their contents. — (1) Any police officer in uniform not below the rank of sub-Inspector or Inspector of Motor Vehicles or Assistant Inspector of Motor Vehicles may at any time when the vehicle is in a public place call upon a driver of a goods vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to make reasonable examination of the contents of the vehicle.

(2) Notwithstanding the provisions of sub-rule (1), the Police Officer or Inspector, or Assistant Inspector of Motor Vehicles shall not be entitled to examine the contents of any goods vehicle unless —

- (i) the permit in respect of the vehicle contains provision or condition in respect of the goods which may or which may not be carried on the vehicle.
- (ii) the Police Officer or the Inspector or Assistant Inspector of Motor Vehicles has reason to suppose that the vehicle is being used in contravention of the provisions of the Act or these rules.

(3) Any Police Officer in uniform not below the rank of head constable or any officer of the Motor Vehicles Department not below the rank of Assistant Inspector may at any time when the vehicle is in a public place call upon the driver of a public service vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the police officer to make reasonable examination of the number of passengers and other contents of the vehicle so as to satisfy himself that the provisions of the Act and the rules and the provisions and conditions of the permit in respect of the vehicle are being complied with.

(4) Any Officer of Police or of the Motor Vehicles Department shall be entitled at any reasonable time to inspect any public service vehicle in a public place.

4.68 Taximeter. — (1) Where the State Transport Authority requires that a motor cab shall be fitted with a taximeter, the taximeter shall be of a pattern approved by such Authority, and shall be fitted in conformity with any instructions that may be issued in this regard.

(2) A permit-holder required to fit a taximeter shall produce the taximeter fitted to the vehicle before the Inspector of Motor Vehicles referred to in rule 3.11 so that it may be tested and sealed, and shall produce the taximeter for examination subsequently whenever the vehicle to which it is attached is inspected or whenever for any reason it has become necessary to break the seal.

(3) No person shall drive or cause or permit to be driven any vehicle in respect of which an order has been made under clause (d) in section 51 if the taximeter is not attached to the vehicle and sealed or if he knows or has reason to believe that it is not accurate or in proper working order.

4A.1. The State Transport Authority may, by general or special resolution recorded in its proceedings

and subject to such conditions, as may be specified in the resolution, delegate —

- (a) the power of granting temporary permits under section 62 to the Secretary-member.
- (b) the power of granting countersignatures of permits under section 63 for the portions of the joint routes lying in this State to the Secretary-member;
- (c) the power of granting replacement of vehicles covered by permits under sub-section (2) of section 59 to the Secretary-member;
- (d) the power of permitting the transfer of permits under sub-section (1) of section 59 from one person to another to the Secretary-member provided that this power is exercised by him only in such cases in which after full enquiry he is satisfied that the contents of the joint application made under rule 4.33 of the said rules are completed and correct and that no premium, payment or consideration is to pass or has passed between the parties;
- (e) the power of issuing a duplicate permit or part or parts of a permit as the case may be under rule 4.34 to the Secretary-member.

4A.2 Delegation of powers to the Director of Transport. — (1) The State Transport Authority may by general or special resolution recorded in its proceedings and subject to the restriction, limitations and conditions herein specified delegate —

- (a) to the Director of Transport all or any of its following powers, namely: —
 - (i) power under section 16 to disqualify a person for holding or obtaining a licence to drive a transport vehicle;
 - (ii) power under section 42 and 51 to refuse a contract carriage permit; in cases where no representations are received, to grant with or without modifications such an application, and attach conditions to the permit;
 - (iii) power under section 42 and 53 to grant with or without modification or refuse a private carrier's permit, and power to impose conditions under sub-section (2) of section 56 or vary the conditions thereof;
 - (iv) power under section 42 and 56 to grant with or without modification or refuse a public carrier's permit and power to impose conditions under sub-section (2) of section 56 or vary the conditions thereof;
 - (v) power to a stage carriage permit conditions under sub-section (3) of section 48 or to vary the conditions thereof;
 - (vi) power to renew private carrier's permits, public carrier's permits and contract carriage permits under section 58 and to renew countersignature of any such permit;
 - (vii) power under sub-section (2) of section 59 to permit the replacement of one vehicle by another;
 - (viii) power under section 60 to suspend a permit, or to recover from the holder thereof the sum of money agreed upon in accordance with sub-section (3) of the said section;

- (ix) power under section 62 and under sub-section (4) of section 63 to grant temporary permit;
- (x) power under section 63 to countersign a permit or attach or vary the conditions thereof;

Provided that the Director of Transport shall —

- (i) keep informed the State Transport Authority from time to time the action taken by him in pursuance of the power delegated; and
- (ii) arrange to paste a notice board on the premises of the office of the State Transport Authority a copy of every resolution of that Transport Authority delegating its power to him.

(2) Notwithstanding anything contained in this rule, the State Transport Authority may from time to time, issue instructions to the Director of Transport as to the manner, in which he shall exercise the powers delegated to him.

CHAPTER V

Construction, Equipment and Maintenance of Motor Vehicles

5.1 General. — No person shall use and no person shall cause or allow to be used in any public place any motor vehicle which does not comply with the rules contained in this chapter or with any order hereunder made by competent Authority.

(2) Nothing in this rule shall apply to a motor vehicle which has been damaged in an accident while at the place of the accident or to a vehicle so damaged or otherwise defective while being removed to the nearest reasonable place of repair or disposal.

5.2 Lamps. — (1) Save as hereinafter provided every motor vehicle while in a public place during the period between half an hour after sunset and half an hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the road at a distance of 160 metres ahead, shall carry the following lamps (hereinafter referred to as «obligatory front-lamps»):

- (a) save in the cases of a motor cycle and an invalid carriage, two lamps showing to the front a white light visible from a distance of 160 metres;
- (b) in the cases of a motor cycle and an invalid carriage, one lamp showing to the front a white light visible from a distance of 160 metres and, where the registration mark exhibited at the front of the vehicle is exhibited on both sides of a plate in the manner prescribed in sub-rule (5) of rule 3.6 so fixed as to illuminate both sides of the plate;
- (c) in the case of a side-car attached to a motor cycle, a lamp affixed to the extreme left hand side of the side-car showing to the front a white light visible from a distance of 160 metres in addition to the lamp required by clause (b) above to be carried on the motor cycle;

and shall in every case also carry: —

- (ii) one lamp hereinafter referred to as the «rear lamp» showing to the rear a red light visible from a distance of 160 metres; and

- (ii) a lamp, which may be the rear lamp or some other device illuminating with a white-light the whole of the registration mark exhibited on the rear of the vehicle, so as to render it legible from a distance of 16 metres to the rear.

Provided that when a motor vehicle is drawing another vehicle or vehicles and the distance between such vehicles does not exceed two metres it shall not, subject to any other provision of these rules, be necessary for the drawn vehicles to carry obligatory front lamps or any save the last drawn vehicle to carry the rear lamp or a lamp illuminating the rear registration mark.

(2) Every lamp required under sub-rule (1) to be carried shall during the aforesaid period be kept properly lighted and in an efficient condition.

(3) Obligatory front lamps shall be as nearly as possible of the same power and at the same height from the ground.

(4) No lamp showing a light to the front shall be so fixed that the centre of the lamp is more than two metres from the ground; provided that this provision shall not apply to the internal lighting of any motor vehicle or to any light necessary to illuminate the route board of a public service vehicle.

(5) The rear lamp shall be fixed either on the centre line of the vehicle or to the right hand side and at a height of not more than one metre from the ground.

(6) Where a trailer is being drawn by a motor vehicle, other than the drawn part of an articulated vehicle, a lamp of as nearly as possible the same and power as the rear lamp and showing a red light to the rear shall be affixed to the trailer vertically above or below the rear lamp at a distance of not less than 600 millimetres or more than one metre from the rear lamp.

(7) No motor vehicle shall show a red light to the front or other than a red light to the rear; provided that this provision shall not apply to the internal lighting of the vehicle or to an amber light if displaced by any direction indicator.

(8) No lamp showing a light to the front shall be used on any vehicle unless such lamp is so constructed, fitted and maintained that the beam of light emitted therefrom —

- (a) is permanently deflected downwards to such an extent that it is at all times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance than 8 metres from the lamp, and whose eye level is not less than one metre above that plane; or
- (b) can be deflected downwards or both downwards and to the left by the driver in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid; or
- (c) can be extinguished by the operation of a device which at the same time cause a beam of light to be emitted from the lamp which complies with clause (a); or
- (d) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it inca-

pable of dazzling any such person in the circumstances aforesaid, or brings into or leaves in operation a lamp or lamps which complies or comply with clause (a).

(9) for the purpose of sub-rule (8) at least one of the following antidazzle devices shall be fitted to a motor vehicle: —

- (i) To paint the upper half of the head lamp lens with thick black paint and to fit head lamp lens shield to prevent upward reflection of light.
- (ii) To include a variable resistance in the lighting circuit so that the intensity of the illumination could be reduced to the minimum to allow a safe Crossing.
- (iii) To fit anti-dazzle automatic Photo electric Cell Control).

(10) Sub-rule (8) shall not apply to any lamp fitted with an electric bulb, if the power of the bulb does not exceed seven watts and the lamp is fitted with frosted glass or other material which has the effect of diffusing the light.

5.3 Brakes. — (1) Every motor vehicle shall be fitted with brakes of sufficient strength capable of stopping the vehicle within the distance specified in sub-rule (10) below and of holding it at rest in all conditions, and all the brakes with which the motor vehicle is fitted shall at all times be properly connected and shall be maintained in good and efficient condition.

(2) Every motor vehicle other than an invalid carriage, a trailer, a road roller or a locomotive, shall be equipped with an efficient braking system or systems sufficient to supply two means of operation so designed and constructed that notwithstanding the failure of any part (other than the fixed member of a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for the driver to apply, to not less than half the number of the wheels of the vehicle, brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that save in the case of a tractor or a heavy motor vehicle, in the event of such failure as aforesaid it shall not be necessary for brakes to be available for application by the driver:

- (a) in the case of a motor vehicle registered in India before the first day of April, 1940, to more than two wheels; and
- (b) in the case of a motor vehicle having less than four wheels to more than one wheel.

(3) The application of one means of operation shall not effect or operate the pedal or hand lever of the other means of operation.

(4) In the case of vehicles registered in India on or after the first day of April, 1940, no braking system shall be dependent upon the rotation of the engine:

Provided that this sub-rule shall not apply in the case of a vehicle referred to in clause (b) of sub-rule (8) of this rule or to the braking system of any trailer or of the trailing half of any articulated vehicle.

(5) The brakes of a motor vehicle which are operated by one of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(6) In the case of a motor vehicle with more than three wheels, other than an invalid carriage, a road roller or a locomotive where any brake shoe is capable of being applied by more than one means of operation, all the wheels shall be fitted with brakes, all of which are operated by one of the means of operation:

Provided that except in the case of a tractor:

(a) where a motor vehicle has more than six wheels, at least four of which are steering wheels, it shall be sufficient compliance with this sub-rule if brakes are fitted to all the wheels other than two steering wheels which are situated on opposite side of the vehicle, and all such brakes are operated by one of the means of operation:

(b) where a motor vehicle has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear on similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this sub-rule if one of the means of operation operates the brakes on two driving wheels situated on opposite side of the vehicle and the other means of operation operates brakes on all the other wheels required to be fitted with brakes by this sub-rule:

Provided further that where means of operation are provided in addition to those prescribed by this rule, such additional means of operation may be disregarded for the purposes of this sub-rule.

(7) One at least of the means of operation shall be capable of causing brakes to be applied directly and not through the transmission gear to all the wheels of the vehicle:

Provided that where a motor vehicle has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this sub-rule if the brakes applied by one means of operation act directly on two driving wheels on opposite side of the vehicle and the brakes applied by the other means of operation act directly on all other driving wheels.

(8) For the purposes of this rule:

(a) in the case of a motor vehicle other than an invalid carriage, a road roller or a locomotive:

(i) except in the case of a motor vehicle the unladen weight of which does not exceed 1016 kilograms or which is the passenger vehicle constructed or adapted to carry not more than seven passengers exclusive of the driver, not more one front wheel shall be taken into account in deciding whether the condition in sub-rule (2) is fulfilled, that brakes must be available which can

be applied to half the number of wheels of the vehicle; and

(ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system;

(b) in the case of the motor vehicle propelled by steam and not used as a public service vehicle, the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained action of the driver.

(9) The braking system operated by one of the means of operation shall, according to whether the vehicle is laden or unladen, be capable of bringing it to rest when travelling at the speed specified in the table below within the distance therein specified when at the time of the application of the brakes the vehicle is travelling over a hard dry level road in good condition with top gear and clutch engaged, or when in the same conditions the efficiency of the brakes as determined by a brake-testing meter approved by the State Government is not less than thirty per cent when the vehicle is laden and not less than forty per cent when the vehicle is unladen.

	Speed Miles per hour	Distance in feet to stop from application of brakes	
		Vehicles laden	Vehicles unladen
A. Foot operated	20	45	33.5
	15	25	19
B. Hand operated on a gradient 1 in 5	20	110	80

(10) For the purpose of the preceding sub-rule a vehicle shall be held to be laden when it carries not less than fifty per cent of the full load for which it is constructed.

5.4 Reversing.— Every motor vehicle other than a motor cycle shall be capable of moving forwards and backwards under its own power.

5.5 Horns.— (1) Every motor vehicle shall be fitted with a horn or other approved device available for immediate use by the driver of the vehicle and capable of giving audible and sufficient warning of the approach or position of the vehicle.

(2) No motor vehicle shall be fitted with any multi-toned horn giving a succession of different note or with another sound producing device giving an unduly harsh, shrill, loud or alarming noise.

(3) Nothing in subrule (2) shall prevent the use on vehicle used as ambulances, or for fire fighting or salvage purposes, or on vehicles used by police officers in the course of their duties, or on other similar vehicles of such sound signals as may be approved by the State Government.

(4) Every transport vehicle shall be fitted with a bulb horn.

5.6 Silencers.— Every motor vehicle shall be fitted with a device (herein referred to as a silencer) which by means of an expansion chamber or other-

wise reduces as far as may be reasonable and practicable the noise that would otherwise be made by the escape of exhaust gases from the engine.

(2) Every motor vehicle shall be so constructed or equipped that the exhaust gases from the engine are not discharged downwards so as to impinge on the road surface.

5.7 Mirror.— Every transport vehicle other than a motor cab shall be fitted externally and every other motor vehicle except a motor cycle having not more than two wheels and to which a side car is not attached, shall be fitted either internally or externally with a mirror so placed as to enable the driver to be or become aware of the presence, in the rear, of any other vehicle the driver of which is desirous of passing such motor vehicle.

5.8 Dangerous projections.— (1) No mascot or other similar fitting or device shall be carried on any motor vehicle registered in India after the first date of April, 1941, in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is unlikely to cause injury to any person by reason of any projection thereon.

(2) No motor vehicle shall be permitted to be used which is so constructed that any axle hub cap projects laterally more than 102 millimetres beyond the rim of the wheel to which it is attached, unless the hub of the hub cap does not project laterally beyond the body or wings of the vehicle and is provided with an adequate guards.

5.9 Noise.— Every motor vehicle shall be so constructed and maintained as not to cause undue noise when in motion.

5.10 Safety glass.— (1) The glass of windcreens or windows facing to the front on the outside of every motor vehicle shall be safety glass.

(2) For the purpose of this rule—

- (a) «safety glass» means glass so constructed or treated that if fractured it does not fly into fragments capable of causing severe cuts;
- (b) any windscreen or window at the front of the inner surface of which is at an angle exceeding thirty degrees to the longitudinal axis of the vehicle shall be deemed to face to the front.

(3) This rule shall not apply to a motor vehicle registered in India before the first day, of July, 1940.

5.11 Arrangement and maintainance of glass.— The glass of the front windscreen, side and rear windows of every motor vehicle shall be such and shall be maintained in such condition as to be clearly transparent and allow the driver a clear vision to the front and to the sides and through the prescribed mirror to the rear of the vehicle.

5.12 Windscreen wiper.— (1) An efficient automatic windscreen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the windscreen or otherwise obtain an adequate view to the front of the vehicle without looking through the windscreen.

(2) This rule shall not apply to a motor vehicle registered in India before the first day of April, 1940.

5.13 Tyres.— (1) The pneumatic tyres of every motor vehicles shall be kept properly inflated and in good and sound condition.

(2) A tyre shall be deemed to be not in good and sound condition if—

- (a) any of the fabric of the casing or breaker strip is exposed by wear of the tread or by any unvulcanised cut or abrasion of any part, or
- (b) the tyre shows signs of incipient failure by local deformation or swelling, or
- (c) the tyre has been patched or repaired by an outside gaiter or patch other than a properly vulcanise repair:

Provided that clause (c) shall not apply to a temporary repair effected to enable the vehicle to be moved to the nearest reasonable place where the tyre can be repaired or replaced.

(3) After the first day of April, 1942, no motor vehicle other than a tracklaying vehicle shall be driven at a speed in excess of 10 kilometres per hour unless it is fitted with pneumatic tyres on all wheels.

5.14 Emission of smoke, vapour or grease.— (1) Every motor vehicle shall be so constructed, shall be maintained in such condition, and shall be so driven and used that there shall not be emitted therefrom any smoke, visible vapour, grit sparks ashes, cinders, or oily substance the emission of which could be prevented or avoided by the taking of reasonable steps or the exercise of reasonable care, or the emission of which might cause damage or annoyance to other persons or property or endanger the safety of any other users of the road.

(2) Every motor vehicle using fuel shall be fitted with an efficient appliance for the purpose of preventing the emission of sparks or grit and also with a tray or shield to prevent ashes and cinders from falling on the road.

5.15 Speedometer.— (1) Every motor vehicle, other than an invalid carriage or a vehicle which may not under the provision of the Eighth Schedule of the Act at any time be driven at a rate of speed in excess of 10 kilometres per hour, shall be fitted with an instrument (hereinafter referred to as a «speedometer») so constructed and in such a position as at all times readily to indicate to the driver the speed at which the vehicle is travelling:

Provided that this sub-rule shall not apply to a motor cycle registered in India before the first day of July, 1940.

(2) A speedometer shall be deemed to satisfy the requirements of this rule if upon test it is found to be accurate within ten per cent above or below the speed specified for the vehicle in the Eighth Schedule to the Act, or if no speed is so specified than above or below the speed of 48 kilometres an hour.

5.16 Springing.— Every motor vehicle and every trailer drawn thereby shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the road wheels and the frame of the vehicle:

Provided that this rule shall not apply to—

- (a) any motor vehicle registered in India before the first day of April, 1940, if any means

of springing with which it is fitted are adequately maintained in good and sound condition;

- (b) any tractor not exceeding five thousand kilograms in weight unladen if all the unsprung wheels of the tractor are fitted with pneumatic tyres;
- (c) any land locomotive, land tractor, land implement, agricultural trailer, or any trailer used solely for the haulage of felled trees;
- (d) motor cycles;
- (e) vehicle designed for use in works or in private premises and used on a road only in passing from one part of the works or premises to another or to works or premises within a distance of two miles.

5.17 Steering. — The steering mechanism of every motor vehicle shall be adequately maintained in good and sound condition, free from backlash exceeding forty-five degrees on the steering wheel. All rods and arms shall be adequately protected by bumpers or otherwise from damage, and where the connections are secured with bolts or pins, the bolts or pins shall be effectively locked. All connections made with pins shall be such that when they are in any position other than horizontal the head of the pin shall be uppermost.

5.18 Overall width. — (1) The overall width of every motor vehicle measured at right angles to the axle of the motor vehicle between perpendicular planes enclosing the extreme points shall not exceed —

- (a) in the case of a motor vehicle other than a transport vehicle (but including a motor cab) 2.2 metres;
- (b) in the case of a transport vehicle other than a motor cab, 2.5 metres.

Provided that if the State Government is satisfied that a particular vehicle or class of vehicles having an over all width in excess of the width specified in this rule is suitable for carrying out any work in furtherance of a public purpose, the State Government, may by notification in the Official Gazette, exempt such vehicles or class of vehicles from the provisions of this rule either generally or in such areas or on such routes, subject to such conditions, if any, as may be specified in the notification.

5.19 Overall length. — (1) The Overall length of every motor vehicle other than a trailer shall not exceed —

- (a) in the case of a vehicle having not more than two axles, 9.14 metres;
- (b) in the case of a rigid framed vehicle having more than two axles, 10.36 metres;
- (c) in the case of an articulated vehicle having more than two axles, 10 metres (including the rear part or trailer).

Provided that if the State Government is satisfied that a particular vehicle or a class of vehicle having an overall length in excess of the length specified in this sub-rule is suitable for carrying out any work in furtherance of a public purpose the State Government may by notification in the Official Gazette exempt such vehicles or class of vehicles from the provisions of this sub-rule either generally or in such areas or on such routes subject to such conditions, if any, as may be specified in the notification.

(2) This rule shall not apply in the case of an articulated vehicle constructed and normally used for the conveyance of indivisible loads of exceptional length —

- (a) if all the wheels of the vehicle are fitted with pneumatic tyres, or
- (b) if all the wheels of the vehicle are not fitted with pneumatic tyres, so long as the vehicle is not driven at a speed exceeding 19 kilometres per hour.

(3) In this rule «overall length» means the length of the vehicle measured between parallel planes passing through the extreme projecting points of the vehicle exclusive of —

- (a) any starting handle;
- (b) any hood when down;
- (c) any ladder forming part of a turn-table fire-escape fixed to the vehicle;
- (d) any post office letter-box the length of which measured parallel to the axis of the vehicle does not exceed twelve inches;
- (e) any steps giving access to the interior of the vehicle;
- (f) any light ladder giving access to the roof of the vehicle.

5.20 Overall height. — (1) The overall height of a motor vehicle measured from the surface on which the motor vehicle rests shall not exceed 3.5 metres.

(2) This rule shall not apply to fire escapes, tower-wagons and other special purpose vehicle exempted by the general or special order of the District Magistrate.

5.21 Overhang. — (1) The overhang of a tractor or locomotive shall not exceed 1.8 metres.

(2) The overhang of a motor vehicle other than a tractor or locomotive shall not exceed fifty per cent of the distance between the plane perpendicular to the axis of the motor vehicle which passes through the centre or centres of the front or wheels and the foremost vertical plane from which the overhang is to be measured as defined in sub-rule (3).

(3) For the purposes of this rule «overhang» means the distance measured horizontally and parallel to the longitudinal axis of the vehicle between two vertical planes at right angles to such axis passing through the two points specified in paragraphs I and II of this definition, respectively —

I — The rear-most point of the vehicle exclusive of —

- (a) any hood when down;
- (b) any post office letter-box, the length of which measured parallel to the longitudinal axis of the vehicle, does not exceed 300 millimetres;
- (c) any ladder forming part of a turn-table fire-escape fixed to a vehicle;
- (d) any steps giving access to the interior of the vehicle;
- (e) any light ladder giving access to the roof of the vehicle;
- (f) any luggage carrier fitted to a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver.

II — (a) In the case of a motor vehicle having only two axles the front axle alone being a steering axle, the centre point of the rear axle, or

(b) in the case of a motor vehicle having only three axles where the front axle is the only steering axle, a point 100 millimetres in rear of the centre of a straight line joining the centre points of the rear and middle axle, or

(c) in any other case a point situated on the longitudinal axles of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle.

(4) In the case of any motor vehicle registered in India before the first day of April, 1940, it shall suffice if the overhang does not exceed fortyfive per cent of the wheel base of the vehicle.

5.22 Direction indicators and stop lights.— (1) For the purposes of the proviso to section seventy-nine of the Act, the signal of a intention to turn to the right or left may be given by a mechanical or electrical direction indicator, and during the period between half an hour after sunset and half an hour before sun rise the signal of an intention to stop may be given by an electrical stop light as herein-after specified.

(2) Every direction indicator shall when in operation be in the form of an illuminated sign of amber colour of a minimum illuminated length of 150 millimetres and of a maximum illuminated breadth not exceeding one-fourth of the illuminated length, the illuminated surface being visible both from front and rear of the vehicle, or in the form of an arrow not less than 150 millimetres in length, presenting a white surface visible both from the front and rear of the vehicle.

(3) A direction indicator intended to intimate a right-hand turn shall be fitted only on the right side and a direction indicator intended to intimate a left-hand turn shall be fitted only on the left side of the vehicle, and except as provided in sub-rule (5) every direction indicator shall be so designed and fitted that—

- (a) it is not more than 1.2 metres behind the base of the wind screen;
- (b) it is not more than 2 metres above the level of the ground;
- (c) when in operation—
 - (i) it temporarily alters the outline of the vehicle to the extent of at least 150 millimetres measured horizontally;
 - (ii) its outermost point shall be at least 150 millimetres further from the longitudinal axis of the vehicle than is the outermost point of the driver's cab or of the side of the body immediately behind the driver's seat; and
 - (iii) it remains steady;
- (d) the driver of the vehicle when in his driving seat may be readily aware that it is operating correctly:

Provided that clause (a) shall not apply in the case of a pillarless saloon motor-car if the direction indicator is not situated behind the widest part of the body.

(4) For the purpose of this rule a «pillarless saloon motor-car» means a motor vehicle which is constructed solely for the carriage of passengers and their effects and is adapted to carry not more than

seven persons exclusive of the driver and which has—

- (a) an enclosed body with four doors; and
- (b) no vertical dividing pillar between the doors on either side of the vehicle.

(5) Additional direction indicators in the Form specified in sub-rule (2) may be fitted at the rear of any vehicle provided that—

- (a) they are only used coincidentally with those fitted in accordance with the provisions of sub-rule (3); and
- (b) they are visible at a reasonable distance from any point in the rear of the vehicle.

(6) Every direction indicator shall be so fitted that when not in operation it will not be likely to mislead the driver of any other vehicle or any person controlling traffic.

(7) Every stop light shall be fitted at the rear of the vehicle and not to the left of the, centre thereof and when in operation shall show a red or amber light:

Provided that nothing in this rule shall prevent the fitting of a duplicate stop light on the left side of the vehicle which comes into operation at the same time as the stop light fitted at the centre or on the right side of the vehicle.

(8) Every light shown by a direction indicator or a stop light shall be diffused by means of frosted glass or other adequate means and shall be a steady light.

(9) Every direction indicator and every stop light shall be such as to be readily operated by the driver of the motor vehicle at all times when sitting in the normal driving position.

(10) In the case of a motor vehicle fitted with right hand steering control nothing in this rule shall be taken to require that a direction indicator or a stop light shall be fitted. In the case of a motor vehicle with left hand steering control a direction indicator as specified in this rule is compulsory.

(11) Notwithstanding anything containing in this rule every transport vehicle, other than a delivery van, a motor cab or a tractor, shall be fitted with an electrical stop light, in the manner provided in this rule:

Provided that the State Government or the State Transport Authority may, by order exempt any transport vehicle or class of such vehicles from the requirement of fitting an electrical stop light on such conditions, if any, as may be specified in the order.

5.23 Cars fitted with left hand steering control.— A motor-car fitted with left hand steering control shall exhibit the words «Left Hand Drive» at a conspicuous place on its rear on a plane plate or a plane surface of the vehicle in red colour on white background, each letter being not less than 35 millimetres in height and of uniform thickness of 13 millimetres.

5.24 Wings.— (1) Every motor vehicle except a locomotive, a tractor or a trailer shall, unless adequate protection is afforded by the body of the motor vehicle, be provided with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels.

(2) The rear wheels of every trailer except a trailer drawn by a locomotive shall be provided with wings as aforesaid.

Side-car wheel. Every side-car attached to a motor cycle shall be so attached, at the left hand side of the motor cycle, that the wheel thereof is not wholly outside perpendicular planes at right angle to the longitudinal axis of the motor cycle passing through the extreme projecting points in front and in the rear of the motor cycle.

5.25 Communication with driver. — (1) Every transport vehicle whether for the use of passengers or goods in which the driver's seat is separated from the passengers or the goods compartment by a fixed partition, which is not capable of being readily open shall be furnished with efficient means to enable the passengers, conductor or the cleaner, in such a compartment to signal the driver to stop the vehicle, provided further that the cleaner, or a conductor in a goods vehicle shall be seated at the back to give signal to the driver when the former notices a faster vehicle approaching the one in which he is travelling.

(2) Sub-rule (1) shall not apply to —

- (i) petrol tank lorries; and
- (ii) the vehicles fitted with tanks on the entire Chassis.

5.26 Marks to be exhibited on vehicles being driven to a place of registration. — (1) When on the authority of sub-section (2) of section 22 of the Act a motor vehicle is driven to or from a place of registration without a registration mark, the following particulars shall be exhibited thereon, namely:

- (a) the name of the owner;
- (b) the designation of the firm from which the vehicle has been purchased, if it has been newly acquired by the owner;
- (c) the date and time (to be ascertained by previous inquiry from the Registering Authority) when the registration is to be carried out.

(2) The particulars required by the preceding sub-rule shall be exhibited on boards in front and rear of the vehicle in letters and figures not less than 50 millimetres high.

5.27 Special marks to be exhibited in a stage carriage when in use as a contract carriage. — (1) No stage carriage or a vehicle forming part of a service of stage carriage shall be used as a contract carriage unless a board is affixed on each side of the vehicle showing that it is for the time being in use as such and not as a stage carriage.

(2) The boards required by the preceding subrule shall exhibit the words «ON CONTRACT» in red letters on a white ground, the letters being of a size not less than that prescribed for the numerals of a registration mark, and shall be affixed in a prominent and unobscured position at or near roof level.

(3) The boards required by sub-rule (1) shall be affixed before the commencement of any trip for which the vehicle is being used as a contract carriage and shall be kept, affixed throughout the whole of the trip, and any boards or marks indicating the

route or routes on which the vehicle is operated at other times shall be removed or covered up throughout the trip.

Special rules applicable to all Public Service Vehicles

5.28 General. — (1) Every public service vehicle, and all parts thereof including paint-works or varnish, shall be maintained in a clean and sound condition, and the engine mechanism and all working parts in reliable working order.

(2) Every public service vehicle shall carry a first-aid-box containing the following articles:

- (1) Set of ordinary splints (consisting of six splints with four iron sockets);
- (2) 4 triangular bandages;
- (3) 3.2×½ packet surgeons lint;
- (4) 4×15 grams packet cotton wool;
- (5) 9 first-aid dressings;
- (6) 11 roller bandages;
- (7) 4 burn dressings;
- (8) 2 eye pads;
- (9) 1 card safety pins;
- (10) 1 pair scissors;
- (11) 1 spool plaster 25 millimetres;
- (12) 1 medicine tumbler;
- (13) 1 bottle spirit surgical;
- (14) 1 bottle sal volatile;
- (15) 1 small tourniquet;
- (16) 1 pad splinter forceps.

5.29 Stability. — (1) The stability of a single-decked public service vehicle other than a motor cab shall be such that under any conditions of load, at an allowance of 160 pounds for every passenger for which the vehicle is registered, if the surface on which the vehicle stands were tilted to either side to an angle of thirty-five degrees from the horizontal the point at which overturning occurs would not be reached.

(2) For the purpose of conducting tests of stability the height of any stop used to prevent a wheel of the vehicle from slipping sideways shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is tilted, and that part of the rim of that wheel which is than nearest to such surface when the wheel is loaded in accordance with the requirements of this rule.

5.30 Side overhang. — In the case of a vehicle used as a stage carriage, no part of the vehicle other than a direction indicator, when an operation, or a driving mirror shall project laterally more than 350 millimetres beyond the extreme outer edge of the outer tyre in the case of the dual rear wheels.

5.31 Seating room. — (1) In every public service vehicle other than a motor cab there shall be provided for each passenger a reasonably comfortable seating space of not less than 375 millimetres square measured on straight lines along and at right angle to the front of each seat, and

- (a) when the seats are placed along the vehicle, the backs of the seats on one side shall be at least 1.37 metres distant from the backs of the seats on the other side;
- (b) when the seats are placed across the vehicle and are facing in the same direction there shall be everywhere a clear space of not

- less than 66 centimetres between the bases of the seats; and
- (c) when seats are placed across the vehicle and are facing each other there shall be everywhere a clear space of not less than 1.25 metres between the backs of facing seats.
 - (d) where seats are placed in such a manner that one row is alongside the vehicle and other rows of seats across the vehicle, the clear space between the front end of the longitudinal seats and the nearest part of the transverse seats shall not be less than 450 millimetres.

(2) The backs of all seats shall be closed to a height of sixteen inches above seat level.

5.32 Gangway.— (1) In every compartment of every public service vehicle the entrance to which compartment is from the front or rear there shall be a gangway along the vehicle, and

- (a) where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than 60 centimetres measured between the fronts of the seats; and
- (b) where seats are placed across the vehicle there shall be as gangway a clear space of not less than 300 millimetres up to a height 760 millimetres from the floor level and not less than 380 millimetres above 760 millimetres from the floor level and where standing passengers are allowed, there shall be as gangway a clear space of not less than 500 millimetres in width up to a height of 760 millimetres from the floor level.

(2) Where the vehicle has seats across the full width of the body with separate doors to each seat, a gangway from front to rear of the vehicle shall not be required.

5.33 Limit of seating capacity.— Notwithstanding anything contained in these rules, no public service vehicle other than a motor cab shall be registered for a number of passengers in excess of the number obtained by subtracting 118 kilograms from the difference in kilograms between the registered laden and unladen weight of the vehicle and dividing the resulting figures by 160 or for such numbers of passengers that when the vehicle is loaded in the normal manner, the axle weight of any axle will exceed the registered axle weight for that axle.

5.34 Head-room.— Every public service vehicle other than a motor cab shall have the following internal height or head-room measured along the centre of the vehicle from the top of the floor boards or battens to the underside of the roof supports:

- (a) In the case of a vehicle with a permanent top not less than 1.4 metres and not more than 1.8 metres.
- (b) In the case of a vehicle with a moveable hood not less than 1.4 metres.

5.35 Drivers Seat.— (1) No public service vehicle shall be driven otherwise than from the right hand side of the vehicle.

(2) On every public service vehicle space shall be reserved for the driver's seat such as to allow him to exercise full and unimpeded control of the vehicle, and in particular:—

- (a) the part of the seat against which the driver's back rests shall not be less than 280 millimetres from the nearest point on the steering wheel and that the seat shall be so constructed as to be adjustable in such a way that the distance is increased to 350 millimetres. The driver's seat shall be constructed as to permit an up and down adjustment in addition to the fore and aft adjustment mentioned herein;
- (b) the width across the vehicle shall be not less than 680 millimetres and shall extend to the left of the centre of the steering column in no case less than 250 millimetres and so that a line drawn parallel to the axis of the vehicle through the centre of any gear lever, brake lever, or other device to which the driver has to have frequent access lies not less than 50 millimetres inside the width reserved for the drivers seat; and
- (c) in the case of a public service vehicle other than a motor cab, the space reserved in accordance with clause (b) above shall at the left hand and be enclosed with a rigid wooden or other suitable partition to a height not less than 300 millimetres above the seat, and continued forward of the seat at an adequate height above the floor of the vehicle.

(3) No public service vehicle shall be so constructed that any person may sit or any luggage may be carried on the right hand side of the driver.

(4) Every public service vehicle shall be so constructed that save for the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of ninety degrees to his right hand side. The front pillar of the body shall be so constructed as to obstruct the vision of the driver to the least possible extent.

(5) The Transport Authority may, by order in writing, direct that until such time as the vehicles have been taken off the road after having lived their lives nothing in this rule in regard to and consequent upon provision requiring that the vehicle shall be driven from the right hand side shall apply to a public service vehicle fitted with left hand steering control and obtained through the Disposal Organization of the Central Government.

(6) Where a Registering Authority registers a public service vehicle in respect of which, or belonging to a class in respect of which an order under sub-rule (5) has been made, he shall note in the certificate of registration the fact that nothing in rule 5.35 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

5.36 Width of doors.— (1) Except in the case of a vehicle registered before the first day January, 1965, every entrance and exit of a public service vehicle other than a motor cab shall be at least 530 millimetres in width and of sufficient height.

(2) Every entrance and exit doors shall be capable of being open outwards by one operation of the locking mechanism.

(3) Door handles or levers to door catches shall be so designed and fitted that they are not liable to be dislodged or to be operated accidentally.

(4) All doors shall be so designed as to be readily opened in case of need from both the inside and outside of the vehicle.

(5) Every public service vehicle shall have an emergency exit separate from the entrance door.

(6) All emergency exits shall:—

- (i) be clearly marked «EMERGENCY EXIT» in bold letters on the inside;
- (ii) be fitted with doors to open outwards;
- (iii) be so designed as to be opened from both the inside and the outside of the bus;
- (iv) be equipped with a fastening device which can be quickly released but so designed as to offer protection against accidental release;
- (v) be easily accessible to persons of normal height standing on the ground outside the vehicle;
- (vi) be such that no seat or other object placed in the bus will restrict the passage to the emergency door;
- (vii) be located either at the back or on the right hand side of the bus;
- (viii) have no step leading to it.

(7) For city or urban buses, where the turnover of passengers is large, the number of stops great, and the duration of stop very short, different openings may be provided for entrance and exit in addition to the emergency driver's exit.

5.36-A. There shall be unobstructed accessibility from every seat to at least one exit:

Provided that this rule shall not apply to any seat along with the driver, if there is access to such seats by an entrance other than the driver's entrance.

Direct access shall be provided to the driver's seat either from the off side or the vehicle or by means of the passage, which shall not be smaller in dimensions than the one prescribed from the gangway.

5.37 Grab rail.—A grab rail shall be fitted to every entrance or exit, other than an emergency exit of a public service vehicle other than a motor cab to assist passengers in boarding or alighting from the vehicle.

5.38 Steps.—(1) In every public service vehicle other than a motor cab the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, shall not be more than 600 millimetres or less than 425 millimetres above the ground when vehicle is empty. Fixed steps shall not be less than nine inches wide and shall in no case project laterally beyond the body of the vehicle unless they are so protected by the front wings (or otherwise) that they are not liable to injure pedestrians—

The shortest distance between any step-well and a vertical plane passing through the front edge of a seat shall not be less than 225 millimetres.

5.39 Cushions.—Where the seats of the public service vehicle are provided with fixed or moveable cushions, the cushions shall be covered with lather, cloth of good quality or other material of such a kind that they are capable of being kept in a clean and sanitary condition.

5.40 Body dimensions and guard rails.—(1) Every public service vehicle other than motor cab shall be so constructed that:—

(a) in the case of a vehicle with an enclosed body—

- (i) the height of the body sides from the floor or the height to the sills of the windows, as the case may be, shall not be less than 710 millimetres;
- (ii) if the height of the side of the body or the sills of the windows, as the case may be, above the highest part of any seat is less than 450 millimetres provision is made by means of guard rails or otherwise to prevent the arms of seated passengers being thrust through and being injured by passing vehicles, or the extent to which the side windows or venetians can be lowered is such that when lowered their top edge is not less than 450 millimetres above the highest part of any seat;

(b) in the case of a vehicle with open sides, guard rails shall be provided along the right-hand side of the vehicle to prevent any person other than the driver from mounting or alighting from the vehicle on that side;

(2) For the purposes of this rule the seat-back shall not be deemed to be part of the seat.

5.41 Protection of passengers from weather.—(1) Every public service vehicle shall be either constructed with a fixed and watertight roof or equipped with a watertight hood that may be raised or lowered as required.

(2) Every public service vehicle shall have suitable windows, venetians or screens capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle. When the screens are made of fabric, the whole of them shall at all times be fastened securely to the vehicle.

(3) Where glass windows or venetians are used, they must be provided with effective means to prevent their rattling.

(4) Glass windows or panels that are liable to be broken if passengers are thrown against them shall, unless they are of safety glass, be adequately guarded. Windows shall be similarly guarded if there is any likelihood of passengers leaning out through the openings.

(5) There shall be adequate ventilation for both passengers and drivers without the necessity for opening any main window or wind screen.

5.42 Prohibition on the fitting of mirrors.—No mirror or glass-covered picture shall be fitted inside or outside the body of any public service vehicle:

Provided that nothing herein shall prohibit the fitting of any mirror which may be necessary to enable the driver to obtain a view of the road in the rear of the vehicle or a view of the interior of the vehicle.

5.43 Internal lighting.—Every public service vehicle (other than a motor cab) having a permanent roof shall be furnished with one or more electric lights adequate to give reasonable illumination

throughout the passenger's compartment or compartments but of such power or so screened as not to impair the forward vision of the driver.

5.44 Body construction.—The body of every public service vehicle shall be so constructed and so fastened to the frame of the vehicle as to comply with such directions as may be issued by the State Transport Authority from time to time.

5.45 Lighting to be by electricity.—No light other than an electric light shall be fitted to any public service vehicle.

5.46 Fuel tanks.—(1) No fuel tank shall be placed in any public service vehicle under any part of any gangway which is within 600 millimetres of any entrance or exit of a vehicle.

(2) The fuel tank of every public service vehicle shall be so placed that no overflow therefrom shall fall upon any wood work or accumulate where it can be readily ignited. The filling points of all fuel tanks shall be outside the body of the vehicle, and the filler caps shall be so designed and constructed that they can be securely fixed in position.

5.47 Carburettors.—In every public service vehicle any carburettors and apparatus associated therewith shall be so placed and shielded that no fuel leaking therefrom shall fall upon any part or fitting that is capable of igniting it or into any receptacle where it might accumulate.

5.48 Exhaust pipe.—The exhaust pipe of every public service vehicle shall be so fitted or shielded that no inflammable material can be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle; and the outlet thereof shall be placed far enough to the rear to prevent, so far as practicable, fumes from entering the vehicle, and in the case of a vehicle registered after the first day of January, 1965 on the right hand side of the vehicle.

5.49 Electric wires.—All electric wires or leads shall be adequately insulated.

5.50 Fire extinguishers.—Transport Authority, may as a condition of the grant of a permit require in the public service vehicle to be equipped with a fire extinguisher of a type specified by the said Authority and may require that such fire extinguisher shall be inspected at such periods and by such persons as the Authority may specify.

5.50-A. Every public service vehicles shall be equipped with water-proof canvass for safe-guarding luggage belonging to passengers and carried on the roof of the vehicle.

5.51 Locking of nuts.—All moving parts of every public service vehicle and all parts subject to severe vibration connected by bolts or studs and nuts shall be fastened by lock nuts or by nuts with efficient spring or lock nuts washers or by castellated nuts and split pins by some other efficient device so as to prevent them working loose.

5.52 Floor boards.—(1) The floor boards of every public service vehicle shall be strong and so closely

fitted or so covered with suitable material as to exclude as far as possible draughts and dust.

(2) The floor boards may be pierced for the purpose of drainage but for no other purpose.

5.53 Spare wheel and tools.—(1) Save as otherwise specified by the State Transport Authority in respect of municipal or cantonment areas, every public service vehicle shall at all times be equipped with not less than one spare wheel or rim fitted with a pneumatic tyre in good and sound condition ready inflated, and mounted in such a way that it can be readily dismantled and fitted to the vehicle in the place of any one of the road wheels.

(2) Sub-rule (1) shall not apply to a public service vehicle during the completion of any journey during which it has been necessary to bring the spare wheel or rim and tyre into use.

(3) Every public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change a wheel or rim and tyre and with equipment necessary to repair a puncture, including the following:—

- Spanners to fit every nut on the vehicle.
- One screw driver.
- One pair pliers.
- One hammer.
- Two tyre levers.
- Tyre repair outfit.
- Tyre pump.
- Wheel jack.
- One spare headlight bulb and one spare rear-lamp bulb.
- A supply of spare fuses.

(4) Every transport vehicle other than a motor cab granted a permit which enables it to operate regularly on any road shall be furnished with a suitably fashioned block, attached by chain to the vehicle, to be used as a chock when the vehicle is halted on a slope.

5.54 Advertisements and other markings on Public Service Vehicles.—(1) No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be permitted by the State Transport Authority by general or specific order.

(2) A public service vehicle when regularly used for carrying Government mail by or under a contract with the Indian Posts and Telegraphs Department shall exhibit in a conspicuous place upon a plate or a plane surface of the motor vehicle the words «MAIL» in red on a white ground, each letter being not less than 150 millimetres in height and of a uniform thickness of 20 millimetres.

(3) Save as aforesaid, no motor vehicle shall display any sign or inscription which include the word «MAIL».

5.54-A. No public service vehicle, other than a contract carriage shall ply for hire unless it clearly exhibits on the roof of the vehicle immediately above the driver's seat and forward of luggage carrier, if any, a route board enabling the destination, registered number and starting place to be read by any person approaching the vehicle.

Special rules applicable to goods vehicles

5.55 Body and loading platform.—The body of every goods vehicle including a trailer shall be so

fastened to the frame of the vehicle and so constructed as to comply with such directions as may be issued by the State Transport Authority from time to time. The vehicle shall be capable of carrying the load for which it is used without danger or inconvenience to other road users so that the load can be securely packed within the body or platform.

5.56 Driver's Seat.—Rule 5.35 relating to the driver's seat shall apply to every goods vehicle other than a delivery van.

Special rules applicable to trailers

5.57 Overall length.—(1) The overall length of a trailer, excluding any draw-bar, shall not exceed 6.7 metres.

(2) This rule shall not apply to—

- (a) a trailer constructed and normally used for the conveyance of indivisible loads of abnormal length.
- (b) any agricultural or road-making implement.
- (c) the trailing part of any articulated vehicle.
- (d) to any incompletely assembled or otherwise disabled motor vehicle which is being drawn by a motor vehicle in consequence of the disablement.

5.58 Brakes.—(1) Save as provided in sub-rule (2) below, every trailer exceeding 500 kilograms in weight laden shall have an efficient braking system, the brakes of which are capable of being applied when it is being drawn—

- (a) In the case of a trailer having not more than two axles, to at least all the wheels of one axle, or
- (b) in the case of a trailer having more than two axle to all the wheels of two axles;

Provided always that the brakes as aforesaid shall be capable of being applied to not less than half the number of wheels of the trailer and so constructed that—

- (i) the brakes can be applied either by the driver of the drawing vehicle or by some other person on such vehicle or the trailer,

Provided that this clause shall not apply in the case of a trailer not exceeding 1016 kilogram in weight unladen or in the case of a trailer not constructed or adapted to carry any load other than plant or other special appliance or apparatus which is a permanent or essentially permanent fixture and not exceeding 2030 kilogram in total weight, if in either case the brakes of the trailer automatically come into operation on the overrun of the trailer, and

- (ii) the brakes are capable of being set so as effectually to prevent two at least of the wheels from revolving when the trailer, whether it is attached to the drawing vehicle, or not, is not being drawn.

(2) Sub-rule (1) hereof shall not apply to—

- (a) any land implement drawn by a motor vehicle,
- (b) any trailer designed for use and used by local authority for street cleansing provided that the trailer does not carry any load other than its necessary gear and equipment, or

- (c) any disabled vehicle which is being drawn by motor vehicle in consequence of the disablement.

(3) The braking system shall be so constructed that it is not dependent upon the rotation of the engine of drawing vehicle.

Exemption

5.59 Exemption of military vehicles.—Provisions of the rules specified in the first column of the Table below shall not, to the extent specified in the corresponding entries in the second column thereof, apply to any military motor vehicle registered under section 39.

Rule	Extent not applicable
5.2	(a) Clause (i) of sub-rule (1) and sub-rules (6) and (7). (b) The Senior Superintendent of Police may by order in writing and subject to any conditions authorise the driving at night, without lights of motor vehicles registered under section 39 during the hours laid on the route or routes or in the area, within his jurisdiction specified in the order.
5.5	Sub-rule (4).
5.16	The whole.
5.18	The whole, provided that the width does not exceed 2.4 metres.
5.20	The whole.
5.57	The whole.
5.58	The whole.

5.60 Exemption of road plant.—Nothing in rules 5.2, 5.5, 5.6, 5.7, 5.8, 5.9, 5.15, 5.16, 5.18, 5.19, 5.21, 5.22, 5.24 and 5.58 shall apply to road-rollers and other machines specially constructed or adapted for the construction or maintenance of roads which are the property of the Central or the State Government or of any local authority.

CHAPTER V-A

Special specifications for motor cycle rickshaw bodies

5-A. 1. (i) Type of body and material.—The body of every auto-rickshaw shall be either of a station wagon or a box type or hackney carriage type as approved by the State Transport Authority, soundly constructed to the satisfaction of the Registering Authority and shall be securely fastened to the frame of the vehicle. There shall be adequate arrangements for protection of passengers from sun, wind and rain. The material used in the construction shall be strong and of good quality.

(ii) **Roof.**—The roof shall be so constructed as to provide protection for passengers from sun and rain and shall be either of metal sheeting or canvas or some other suitable material.

5-A. 2. Overhang.—The overhang of the body shall not exceed fortyone per cent of the distance between the plane perpendicular to the axis of the auto-rickshaw which passes through the centre of the front wheel and the centre of the rear axle.

5-A. 3. Overall width.—(i) 4—**Passenger auto-rickshaws.**—The overall width measured at right angles to the axis of the planes enclosing the extreme points shall be not more than 1.8 metres and not less than 1.3 metres.

(ii) 2 — Passenger auto-rickshaws. — The overall width measured at right angles to the axis of the planes enclosing the extreme points shall be not more than 1.4 metres and not less than 1 metre.

5-A. 4. Overall height. — (i) 4 — Passenger auto-rickshaw. — The overall height measured from the surface on which auto-rickshaw stands shall not exceed 1.4 metres and there shall be at least 1.2 metres clear head space between floor board and the roof.

(ii) 2 — Passenger auto-rickshaw. — The overall height measured from the surface on which auto-rickshaw stands shall not exceed 1.4 metres and there shall be at least 1.2 metres clear head space between floor board and the roof.

5-A. 5. Road Clearance. — The road clearance of every auto-rickshaw shall be not more than 225 millimetres and not less than 150 millimetres.

5-A. 6. Clearance of floor boards. — The floor board shall not be more than 550 millimetres above the surface on which the auto-rickshaw stands.

5-A. 7. Lights. — Every auto-rickshaw shall be fitted with one head and two side white lights or two head lights on the body in the front. In addition to the front lights, an auto-rickshaw shall be fitted with the rear lamp showing to the rear a red light visible from a distance of 150 metres and illuminating with white light the registration mark exhibited on the rear of the vehicle so as to render it legible from a distance of 15 metres and also two cat's eye reflectors on the rear mudguards so as to warn the vehicular traffic approaching from behind that there is an auto-rickshaw ahead. If no mudguards are used cats-eye reflectors in the rear will be optional. The auto-rickshaw shall be also fitted with a rear stop-light to be operated by foot-brake.

5-A. 8. Driver's seat. — The back of the driver's seat should have at least 100 millimetres of clearance from the front panel of the body. A wind screen shall be provided for the driver.

5-A. 9. Gangway. — In every 4 — Passenger auto-rickshaw the entrance to which is from the front or rear and the seats are placed across the vehicle there shall be a gangway of not less than 300 millimetres.

5-A. 10. Seat. — The seating area and the seating layout shall be in accordance with these rules and the dimensions and specifications thereof shall be as may be specified by the State Transport Authority, in its approved seating layout plan.

5-A. 11. Leg space. — (i) 4 — Passenger auto-rickshaw: — There shall be provided at least 275 millimetres leg space.

(ii) 2 — Passenger autorickshaw: — There shall be provided at least 375 millimetres leg space.

5-A. 12. Milometer. — Every auto-rickshaw shall be provided with a suitable type of milometer to record total mileage covered on the basis of which fare is paid and also in milometer of the type in which trip reading can be adjusted to zero or fare meter.

5-A. 13. Horn. — Every auto-rickshaw shall be fitted with a bulb horn in addition to electric horn.

5-A. 14. Rear view mirror. — Every rickshaw shall be fitted with a rear view mirror mounted at a suitable place to give a clear unobstructed view of the rear to the driver.

5-A. 15. Brakes. — Every auto-rickshaw shall be fitted with mechanically-operated brakes capable of stopping the vehicle within a reasonably safe distance. In addition, every auto-rickshaw shall also be provided with a manually-operated hand-brake to be used in emergency or for parking purposes.

5-A. 16. Reverse gear. — Four-seater auto-rickshaw built over a chassis fitted with an engine rated at 7.5 H.P. or above shall be fitted with reverse gear arrangements so as to reverse the vehicle while in operation.

5-A. 17 Differential Assembly. — Every auto-rickshaw with a rear drive shall be provided with a differential assembly, power to which is transmitted either through chain or a shaft.

CHAPTER VI Control of Traffic

6.1 Limitations on the use of heavy transport vehicles. — (1) No transport vehicle shall be driven within the state in such a state that the total weight of the vehicle and its load, including the weight of any trailer drawn by the vehicle under load carried thereon, exceeds eight metric tons, or in such a state that the weight carried on any one axle of the vehicle or trailer exceeds six metric tons:

Provided that the 4-wheeler transport vehicle may be allowed to be driven within the State where the laden axle load thereof does not exceed metric 8 tons, the axle spacing (distance between front and rear axles) is not less than 3.8 metres and the width over track between centre to centre of wheel is not less than 1.5 metres and the total weight exceeds eight tons but does not exceed 10.16 metric tons.

Provided further that a 6-wheeler transport vehicle with one trailer, the laden axle load of which does not exceed 4 tons, the laden axle weight of trailer does not exceed 3 tons, the axle spacing between front and rear axle of tractor is not less than 3.2 metres feet, the axle spacing between rear axles of tractors is not less than 1.2 metres, the axle spacing between axles of trailer is not less than 3 metres, the axle spacing between rear axle of tractor and front axle of trailer is not less than 4.2 metres, the total weight of the tractor and trailer exceeding eight metric tons but not exceeding 16 metric tons may be allowed to be driven in the State:

Provided further that in the case of tracked loads the total load of the tracked vehicle spread over 2.8 metres length shall not exceed 12 metric tons.

(2) For the purpose of the preceding sub-rule all persons carried on the vehicle shall be included in the load.

(3) The State Government may by order in writing exempt any motor vehicle or class of motor vehicles from the operation of the preceding sub-rule.

6.2 Signalling devices. — (1) Subject to succeeding sub-rules, the signalling device required by section 80 shall be a direction indicator as prescribed in rule 5.23 and shall be fitted to both sides of the vehicle.

(2) Notwithstanding anything contained in sub-rule (1) until such time as the vehicles have been

taken off the road after having lived their lives, a motor vehicle, other than a transport vehicle, obtained through the Disposals Organization of the Central Government may be fitted with a mechanical or electrical direction indicator complying with the requirements of rule 5.23 on the right hand side of the vehicle only.

(3) The State Transport Authority may, by order in writing, direct, that the provisions of sub-rule (2) shall apply to any transport vehicle or class of transport vehicles, specified in the order.

(4) At the time of registration of a transport vehicle, in respect of which or belonging to a class in respect of which, an order under sub-rule (2) has been made the Registering Authority concerned shall record a note in the Certificate of Registration to the effect that the direction indicator may be fitted on the right hand side only.

6.3 Vehicles abandoned on the road.— (1) If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, any Police Officer may —

- (a) forthwith cause the vehicle to be moved under obstruction or danger;
- (b) unless it is moved to a position where it will not cause obstruction or danger take all reasonable precautions to indicate the presence of the vehicle; and
- (c) if the vehicle has been stationary in one place for a continuous period of twenty-four hours and adequate steps have not been taken for its repair or removal by the owner or his representative, remove the vehicle and its contents to the nearest place of safe custody.

(2) If a motor vehicle has been stationary in a duly appointed parking place for a period exceeding that specified by competent authority in respect of the said place, or if no such period has been specified for a period exceeding six hours, any Police Officer may remove the vehicle to the nearest place of safe custody.

(3) Notwithstanding any fine or penalty which may be imposed upon any person upon conviction for the contravention of the provisions of section 81 or of any regulations made by a competent authority in relation to the use of duly appointed parking places, the owner of the motor vehicle or his heirs or assigns shall be liable to make good any reasonable expense incurred by any Police Officer in connection with the moving, lighting, watching or removal of a vehicle or its contents in accordance with sub-rules (1) and (2); any Police Officer, or any person into whose custody the vehicle has been entrusted by any Police Officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall upon receiving such payment give a receipt to the person making the payment.

6.4 Use of weighing devices.— (1) The driver of any goods vehicle required by a competent authority under section 73 to convey the vehicle to a weighing device shall upon the demand of such authority so drive and manipulate the vehicle as to place it or any wheel or wheels thereof, as the case may be, upon the weigh-bridge or wheel-weigher in such a manner that the weight of the vehicle or the weight transmitted by any wheel or wheels may be exhibited by the weigh-bridge or wheel weigher.

(2) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (1) a person authorised under section 73 may cause any person, being the holder of a licence authorising him to drive such a vehicle, so to drive and manipulate the vehicle.

(3) When the vehicle or axle weight of a motor vehicle is determined by separate and independent determination of the weight transmitted by any wheel or wheels of the vehicle, to axle weight and the laden weight shall be deemed to be the sum of the weights transmitted by the wheels of any axle or by all the wheels of the vehicle as the case may be.

(4) Upon the weighing of a vehicle in accordance with the said section and this rule, the person who has required the weighing or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle the weight of which is separately determined.

(5) No weighing device shall be used for the purpose of section 73 unless it is tested not less than once in every six calendar months by an officer appointed by the Chairman of the State Transport Authority.

6.5 Restriction on driving with gear disengaged.— No person shall drive a transport vehicle with the clutch pedal depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as a brake when the vehicle is travelling down an incline.

6.6 Prohibition on mounting or taking hold of vehicle in motion.— (1) No person shall mount or attempt to mount on or dismount from any motor vehicle when the motor vehicle in motion.

(2) No person shall take hold of, and no driver of a motor vehicle shall cause or allow any person to take hold of, any motor vehicle in motion for the purpose of being towed or drawn upon some other wheeled vehicle or otherwise.

6.7 Towing.— (1) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle or a registered trailer shall be drawn or towed by any motor vehicle.

(2) No motor vehicle other than a registered trailer shall be drawn or towed by any other motor vehicle unless there is in the driver's seat of the motor vehicle being drawn or towed a person holding a licence authorising him to drive the vehicle or unless the steering wheels of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(3) When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed five metres. Steps shall be taken to render the tow rope or chain easily distinguishable by other users of the road, and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than 75 millimetres high and on a white ground the words «ON TOW»:

Provided that no person shall be liable to be convicted for the contravention of the sub-rule for failure to display the words «ON TOW» if the motor vehicle which is towing the other is not a motor

vehicle adapted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the breakdown and the nearest place on the route at which the necessary materials can be obtained.

(4) No motor vehicle when towing another vehicle other than a trailer or side-car shall be driven at a speed exceeding 25 kilometres per hour.

6.8 Traffic segregation.—Where any road or street is provided with footpaths, or tracts reserved for cycles or specified classes of other traffic, no persons shall, save with the sanction of a Police Officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such foot-path or track.

6.9 Projection of loads.—(1) No person shall drive, and no person shall cause or allow to be driven, in any public place any motor vehicle which is loaded in a manner likely to cause danger to any person or in such a manner that the load or any part thereof or anything extends:

- (a) laterally beyond the side of the body or beyond a vertical plane in prolongation of the side of the body;
- (b) to the front beyond the foremost part of the vehicle;
- (c) to the rear to a distance exceeding 1.2 metres beyond the rearmost part of the vehicle excluding any luggage carrier; and
- (d) in height by a distance which exceeds 3.4 metres from the surface upon which the motor vehicle rests.

(2) Clause (c) of sub-rule (1) shall not apply to goods motor vehicle when loaded with any pole or any projecting things so long as:

- (a) the projecting load falls within the limits of the body of a trailer being drawn by the goods vehicles; or
- (b) the distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed 1.8 metres; and
- (c) there is attached to the rear of such pole or other thing in such a way as to be clearly visible from the rear at all times a white circular disc of not less than 375 millimetres in diameter; and at night a lamp in addition to the prescribed lamps on the vehicle so arranged as to show a red light to the rear.

(3) The Registering Authority or any Gazetted Officer of Police may by order in writing exempt any motor vehicle, for such period and subject to such conditions as he may specify, from any or all of the provisions of this rule.

6.10 Carriage of dangerous substances.—(1) Except for the fuel and lubricants necessary for the use of the vehicle, no explosive, highly inflammable or otherwise dangerous substance shall be carried on any public service unless it is so packed that even in the case of an accident to the vehicle, it is unlikely to cause damage or injury to the vehicle or persons carried thereon.

(2) If in the opinion of a Police Officer not below the rank of Sub-Inspector any public service vehicle is at any time loaded in contravention of this rule,

he may order the driver or other person in charge of the motor vehicle to remove or repack the inflammable or dangerous substance.

6.11 Sound Signals.—(1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor vehicle is equipped, or shall cause or allow any other person to do so, continuously or to an extent beyond what is necessary to ensure safety.

(2) The District Magistrate may by notification published in the Official Gazette or in one or more newspapers circulating in the area in question, and by the erection in suitable places of traffic sign no. 7 as set forth in Part A of the Ninth Schedule to the Act, prohibit the use by drivers of motor-vehicle of any horn gong or other device for giving audible warning in any area during such hours as may be specified in the notification:

Provided that when the District Magistrate prohibits the use of any horn, gong or other device for giving audible warning during certain specified hours, he shall cause a suitable notice, in English and in the script of the district, to be affixed below the traffic sign setting forth the hours within which such use is prohibited.

6.12 Cut-outs.—No driver of a motor vehicle shall in any public place make use of any cut-out or other device by means of which the exhaust gases of the engine are released save through the silencer.

6.13 Restrictions on travelling backwards.—No driver of a motor vehicle shall cause the vehicle to travel backwards without first satisfying himself that he will not thereby cause danger or undue inconvenience to any person, or in any circumstances, for any greater distance or period of time than may be reasonably necessary in order to turn the vehicle round.

6.14 Use of lamps when a vehicle is at rest.—(1) If within the limits of any municipality or cantonment a motor vehicle is at rest within the hours during which lights are required, at the left hand side of any road or street or elsewhere or in any duly appointed parking place, it shall not be necessary for the motor vehicle to exhibit any light save as may be required generally or specifically by the District Magistrate.

(2) Outside the limits of a municipality or cantonment if a motor vehicle is at rest within the hours during which lights are required in such a position as not to cause danger or undue inconvenience to other users of the roads, it shall not be necessary for the motor vehicle to display any lights.

6.15 Dazzling lights.—(1) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle.

(2) The District Magistrate may by notification in the Official Gazette and by the erection of suitable notices in English and in the local script prohibit the use, within such areas or in such places as may be specified in the notification, of lamps giving a powerful or intense light.

6.16 Visibility of lamps and registration marks.—(1) No load or other thing shall be placed on any

motor vehicle so as at any time to mask or otherwise interrupt vision of any lamp, registration mark or other mark required to be carried by or exhibited on any motor vehicle by or under the provisions of the Act, unless a duplicate of the lamp or mark so masked or otherwise obscured is exhibited in the manner required by or under the Act for the exhibition of the masked or obscured lamp or mark.

(2) All registration and other marks required to be exhibited on a motor vehicle by or under the provisions of the Act shall at all times be maintained as far as may be reasonably possible in a clear and legible condition.

6.17 Stop sign on road surface. — (1) When any line is painted on or inlaid into the surface of any road at the approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects thereon that line at any time when a signal to stop is given by a police officer or by means of traffic-control lights or by the temporary display of sign no. 3 in Part A of the Ninth Schedule to the Act.

(2) A line for the purposes of this rule shall not be less than five centimetres in width at any part and shall be either in white, black or yellow.

Special rules applicable to trailers

6.18 Trailers prohibited with motor cycles. — (1) A motor cycle with not more than two wheels with or without a sidecar shall not draw a trailer.

(2) No motor cycle shall draw a trailer exceeding 227 kilograms in weight unladen or 1.5 metres in overall width.

6.19 Prohibition of attachment of trailer to certain vehicles. — No motor vehicle which exceeds 8 metres in length shall draw a trailer:

Provided that this rule shall not apply to any motor vehicle being towed in consequence of disablement.

6.20 Attendants on trailer. — (1) When a trailer is or trailers are being drawn by a motor vehicle there shall be carried in the trailer or trailers or on the drawing motor vehicle, as the case may be, the following persons, not being less, than twenty years of age and competent to discharge their duties that is to say:

(a) if the brakes of the trailer or trailers cannot be operative by the driver of the drawing motor vehicle or by some other person carried on that vehicle —

- (i) one person on every trailer competent to apply the brakes and
- (ii) one person placed at or near the rear of the last trailer in train in such a position as to be able to a clear view of the road in rear of the trailer, to signal to the driver of overtaking vehicles and to communicate with the driver of the drawing motor vehicles;

(b) if the brakes of the trailer can be operated by the driver of the drawing motor vehicle or by some other person carried on that vehicle, such other person in addition to the driver shall be carried on that vehicle and one person on the last trailer in train in accordance with the provisions of sub-clause (ii) of clause (a).

(c) if the trailer is or trailers are being drawn by a locomotive, notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the locomotive, not less than one person on each trailer and not less than two persons on the last trailer in train, one of whom shall be the person required by the provisions of sub-clause (ii) of clause (a).

(2) This rule shall not apply —

- (a) to any trailer having not more than two wheels and not exceeding 771 kilograms in weight laden when used singly and not in a train with other trailers;
- (b) to the trailing half of an articulated vehicle;
- (c) to any trailer used solely for carrying water for the purposes of the drawing vehicle when used singly and not in a train with other trailers;
- (d) to any agricultural or road making or road-repairing or road cleansing implement drawn by a motor vehicle;
- (e) to any trailer specially constructed or adapted for any purpose, upon which an attendant cannot safely be carried; or
- (f) to any closed trailer specially constructed for any purpose and specifically exempted from any or all of the provisions of this rule by an order in writing made by registering authority, to the extent so exempted.

6.21 Distinguishing mark for trailers. — (1) No person shall drive or suffer or cause to be driven in any public place any motor vehicle to which a trailer is or trailers are attached unless there is exhibited on the back of the trailer or of the last trailer in train, as the case may be, a distinguishing mark in the form set out in the diagram contained in the Third Schedule to these rules in white on a black ground.

(2) The mark shall be kept clean and unobscured and shall be so fixed to the trailer that —

- (a) the letter on the mark is vertical and easily distinguishable from the rear of the trailer;
- (b) the mark is either on the centre or to the right hand side of the back of the trailer; and
- (c) no part thereof is at a height exceeding 1.2 metres from the ground.

(3) This rule shall not apply to the cases referred to in clauses (a), (b), (c), (d) and (e) of sub-rule (2) of rule 6.20.

Special rule for locomotives

6.22 Attendant. — Every locomotive shall carry not less than one attendant, being a competent person of over twenty years in the management of the locomotive.

6.23 Crossing unmanned railway level crossing. — When a public service vehicle approaches an unmanned railway level crossing, the driver of the vehicle shall cause the vehicle to be stopped, and the conductor of the vehicle shall get down from the vehicle, see the railway track on both sides and ensure that it is clear, and shall then give a signal to the driver of the vehicle to cross the track:

Provided that the conductor shall not get into the vehicle until it has crossed the track.

CHAPTER VII

Halting of Motor Vehicles in Public Places: Control of Stands

7.1 Halting of stage carriages.—No stage carriage shall be halted in an urban area for more than five minutes consecutively for the taking up or setting down of passengers or at any time during the course of a run except at a stand.

7.2 Bus stops.—(1) The District Magistrate may direct that in any street or any road in an urban area notified by him in this behalf (the notification being made by public proclamation or in such other manner as the District Magistrate may deem fit) no stage carriage shall take up or set down passengers except at a place appointed by him as a bus stop or at a stand.

(2) No stage carriage shall be halted at a bus stop for longer than is necessary to take up such passengers as are waiting when the vehicle arrives and to set down such passengers as wish to alight.

7.3 Every stage carriage trip to be begun and ended at a stand.—(1) If the run of any stage carriage starts or finishes in an urban area it shall, unless the District Magistrate specially exempt the vehicle from the provision of this rule, be begun from or be ended at a stand.

(2) Where a stage carriage is exempted from the provisions of the preceding sub-rule which shall be a condition of the exemption that no passengers shall be taken up or set down, as the case may be, at any point within a distance of 183 metres or such other distance as may be named in the order of exemption from the place where the stage carriage is garaged or parked at the start or finish of the run.

(3) In exempting a stage carriage from the provisions of sub-rule (1) of this rule the District Magistrate may make it a condition that the first passengers shall be taken up, or the last passengers be set down, at a particular bus stop fixed for the purpose in the order of exemption.

(4) An order of exemption made under sub-rule (1) of this rule shall remain in force for one year or such lesser period as the District Magistrate may direct and may be cancelled or modified by him at his discretion at any time.

7.4 Stage carriages to be properly parked when not in use.—A State Transport Authority may attach to a stage carriage permit a condition that when the vehicle is not in use it shall not be halted in any public place except at a stand or at a parking place appointed by a competent authority under section 76.

7.5 Preceding rules not applicable to contract carriages.—Nothing in rule 7.1 or 7.3 or in any direction made under rule 7.2 shall apply to a stage carriage when it is being used under due authority as a contract carriage or as a vehicle for the carriage of goods without passengers, provided that a board had been affixed to the vehicle bearing the inscription «On contract» or «carrying goods only» (as the case may be) and provided particulars of the hiring have been entered in the log-book of the vehicle.

7.6 Halting of contract carriages.—A State Transport Authority may impose on the use of any con-

tract carriage, or any stage carriage when the same is being used as a contract carriage, a condition that the vehicle shall not be halted for more than ten consecutive minutes in any public place in an urban area save at a parking-place or in the case of a motor-cab or a cab-rank duly appointed under section 76 or at a stand.

7.7 Parking places.—All District Magistrates in Goa, Daman and Diu are authorised, subject to the control of the State Transport Authority and after consultation with the Superintendent of Police and the local authority having jurisdiction in the area concerned, to make orders appointing parking-places for motor vehicles under section 76.

7.8 Cab-ranks.—(1) At every cab-rank appointed under section 76.

- (a) the drivers shall station their motor cabs in the rank in the order in which they arrive the motor cab which have been waiting longest being stationed in the front position, and the motor cabs been moved up as vacancies occur;
- (b) the drivers of the first two motor cabs shall stay by their vehicles ready to be hired by any person;
- (c) No motor cab engaged for some future time shall be kept in the rank unless the driver is willing to accept any intermediate hiring that may be offered; and
- (d) No disabled motor cab shall be kept in the rank unless the disablement can be and is intended to be remedied forthwith.

(2) The District Magistrate may in the case of any cab rank relax any or all of the direction in the preceding sub-rule.

(3) Nothing in sub-rule (1) of this rule shall render it obligatory on a person wishing to hire a motor cab from a cab rank to take the first cab or restrict his freedom to choose whichever vehicle he prefers.

7.9 Responsibility of driver, conductor and permit holder for securing compliance with these rules.—In so far as any rule in this Chapter, or any orders issued in conformity therewith, directs that a transport vehicle shall or shall not be halted in a certain place or in a certain manner, the rule shall be read as if it included provisions enjoining the driver and in the case of a stage carriage the conductor to ensure that it is so halted or not halted, and requiring the holder of any permit issued in respect of the vehicle to take all measures open to him to secure compliance with the direction.

7.10 Involuntary halts.—No person shall be liable to be punished for halting a vehicle in contravention of any of these rules if the stopping of the vehicle was occasioned by a mechanical defect or by any other cause beyond the control of the driver or person incharge:

Provided that the driver or other person incharge shall continue to be liable for contravening section 81 unless all practicable steps have been taken to dispose of the vehicle in such a way that it shall not cause danger, obstruction or inconvenience to other users of the road.

7.11 Prohibition on the use of horns.— Except to avoid an imminent accident no person shall sound the horn or other audible warning device of any motor vehicle within the limits of a stand, parking place or cab-rank.

7.12 Notification of stands.— (1) The District Magistrate may in consultation with the local authority having jurisdiction in the area concerned make an order in the prescribed form permitting any place to be used as a stand, and without such an order no place shall be so used:

Provided always that no place which is privately owned shall be notified as a stand save on application by or with the written consent of the owner.

(2) Every order made by a District Magistrate under the preceding sub-rule shall show clearly the site of stand which is allowed to be established, and shall be notified by publication in one or more newspapers circulating in the district or by such other means as the District Magistrate may consider appropriate.

(3) No place where —

- (a) arrangements are made for the issue of tickets to passengers, or
- (b) covered accommodation is provided for waiting passengers, or
- (c) agents are stationed to marshal waiting passengers.

shall be used for the taking up or setting down of passengers unless it has been duly notified as a stand under this rule.

7.13 Consideration governing the location of stands.— In deciding whether to grant permission for the use of any place as a stand the District Magistrate shall have regard to the following matters, namely, —

- (a) the interests of the public generally and the efficient organisation of motor transport;
- (b) the suitability of the site from the point of view of traffic control;
- (c) the avoidance of annoyance to persons living or having property in the locality;
- (d) the suitability of the site in relation to other stands in the same town;
- (e) any other considerations that may appear to be relevant.

7.14 Conditions applicable to stands.— (1) Every order permitting a place to be used as a stand shall be subject to the following conditions, namely:—

- (a) that the land and buildings of the stand shall at all times be kept clean and in a good state of repair;
- (b) that the stand shall be administered in a seemly and orderly manner;
- (c) that the person, company or authority permitted by the District Magistrate to use the place as a stand shall take all possible precautions to ensure that no breach of the Act or of these rules is committed in respect of any vehicle entering, or leaving or halting at the stand and that any such breach is reported to the nearest officer of police;
- (d) that a board shall be set up in a conspicuous position at the stand showing the fees payable (if an order has been made fixing

the fees) and that the full amount of fees due from the owners and drivers of vehicles shall be charged neither more nor less.

- (e) that weighing-machines shall be maintained at the stands for determining the weight of the goods to be carried by passengers in public vehicles or in the goods vehicles.

(2) In making an order permitting a place to be used as a stand the District Magistrate may further attach to it any one or more of the following conditions, namely, that the local authority or person authorised to administer the stand shall —

- (a) maintain such records as the District Magistrate may from time to time direct;
- (b) employ such staff at the stand as may be specified in order;
- (c) provide waiting-rooms for the largest number of passengers that may reasonably be expected to use;
- (d) provide suitable lavatories for both sexes;
- (e) provide rest-rooms for the drivers and conductors of the vehicles regularly kept at the stand;
- (f) provide an adequate supply of drinking-water for the passengers, drivers and all persons likely to be employed at the stand;
- (g) provide covered accommodation or other form of shelter for all the vehicles regularly kept at the stand or for such percentage of those vehicles as the District Magistrate may specify;
- (h) provide for the illumination of the stand at night;
- (i) provide, in a separate portion of the stand, facilities for washing and cleaning vehicles and for executing ordinary repairs;
- (j) provide toilet and refreshment facilities in keeping with the appropriate requirements of privacy and hygiene.
- (k) provide cloak-rooms containing wash-basins, water-taps, etc., for women passengers.

(3) With the approval of State Transport Authority the District Magistrate may attach to the order any other condition that may seem to him to be necessary to secure the efficient administration of the stand or otherwise to be in the public interest.

7.15. (1) When an order has been made permitting a place to be used for the establishment of a stand, the District Magistrate may enter into an agreement with any person, firm or company (hereinafter referred to as the «manager») to undertake the maintenance and management of the stand and to be responsible for the fulfilment of the conditions attached to the order of sanction and of all the provisions of the Act and these rules which may be applicable.

(2) It shall be a condition of every agreement made under the preceding sub-rule that the manager shall maintain accounts in English containing such particulars as the District Magistrate or any official or auditor appointed by him.

(3) Every such agreement shall further state whether the manager shall be entitled to retain the whole of the fees collected at the stand or whether some portion thereof or a consolidated sum in lieu shall be payable to the State Government.

(4) An agreement under sub-rule (1) of this rule may be so framed as to require the manager within

a certain time to erect specified buildings or carry out specified works on the site of the stand, or to fulfil any specified conditions of the kind described in sub-rule (2) or rule 7.14.

(5) Save with the approval of the State Transport Authority no agreement shall be made under sub-rule (1) with any person who has a financial interest direct or indirect in any of the vehicles likely to be kept at the stand and unless the person with whom the agreement is to be made agrees that he will employ in the working of the stand any person having such an interest.

7.16 Municipal stands.—(1) A local authority administering a stand shall maintain separate accounts of the income received and expenditure incurred in respect of it, and these accounts together with the accounts of any manager or contractor employed by the local authority in connection with the stand shall be subject to audit under arrangements made by the State Government and shall be open to inspection at all reasonable times by the District Magistrate and any official appointed for the purpose.

(2) It shall be a condition of every order permitting a place to be used as a site for a stand that the whole of the profit derived from the administration of the stand, after deducting such expenditure for the management, lighting and maintenance of the stand as may be incurred with the approval of the District Magistrate together with the deductions specified in the next following sub-rule, shall be devoted by the local authority to defraying the cost of new buildings and improvements at the stands of providing amenities for the drivers of vehicles or waiting passengers.

(3) In determining the amount to be expended by the local authority under the preceding sub-rules on new buildings, improvements and amenities, a deduction shall be made equal to—

- (a) the interest which the local authorities may actually be paying on any sum borrowed by it during the preceding twenty years for the purpose of acquiring land or buildings for the stand; or if the local authority has during the preceding twenty years expended capital of its own in acquiring land and buildings, a sum representing interest on that capital at the current bank rate;
- (b) any rent which may be due from the local authority to any person on account of the land and buildings included in the stand; and
- (c) such additional sum not exceeding three per cent of the gross receipt from fees as may be agreed between the District Magistrate under local authority.

(4) Save with the approval of the State Transport Authority the Local Authority administering a stand shall not entrust the management of the stand to, or permit to be employed in the working of the stand, any person who has a financial interest direct or indirect in any of the vehicles likely to be kept thereat.

7.17 Disposal of moneys accruing to Government.—Moneys accruing to the State Government from the administration of stands shall be devoted, subject to the vote of the legislature, to—

- (a) the carrying out of improvements and the provision and amenities at stands;

- (b) the acquisition of sites for stands, or
- (c) any other object which in the opinion of the State Government conduces to the welfare of persons employed in the motor transport industry and the travelling public.

7.18 Stands to be open to all transport vehicles.—No transport vehicle, the driver or person in charge of which offers to pay the proper fees shall be refused admittance to a stand unless the sanctioned accommodation at the stand is already fully occupied:

Provided that where the owner of any vehicle has been granted a licence for a stand or has been given permission to make use of a stand of his vehicle shall have no right of admission to any stand situated within five miles of that stand.

7.19 Company stands.—(1) Order permitting a place to be used as a stand shall specify clearly the area which may be so used.

(2) Save with the special permission of the State Transport Authority, no such order shall be made unless the person or company applying to use the place as a stand holds permits (being permits in the name of the person or company making the application) for not less than five transport vehicles.

(3) Before giving permission for the establishment of any stand the District Magistrate shall satisfy himself that the proposed site is not in such a location as would give the user an undue advantage over the owners of stage carriages operating in competition with him from the general stand or stands.

(4) No vehicles shall be admitted to any stands of other than vehicles in respect of which a permit is held by the person or company in whose name the stand has been sanctioned, together with any vehicles which may have been specially mentioned in the District Magistrate's order as entitled to use the stand.

7.20 Boundaries of stands to be demarcated.—The local authority or person entrusted with the administration of a stand shall erect and maintain to the satisfaction of the District Magistrate pillars or other marks of a permanent character clearly indicating the boundaries of the land included in the stands.

7.21 Prohibition on use of loud sounding devices at stands.—(1) No horn, gong, bell, whistle, gramophone, loud-speaker, musical instrument, or other device for creating loud noise shall be used to attract passengers to any stand.

(2) In the event of such use the manager and any contractor employed to administer the stand, and the owner, driver and conductor of the vehicle to which the sound was intended to attract custom, shall, in addition to the person who uses the instrument, be punishable for contravening this rule, unless he can show that the use of the instrument was without his consent.

7.22 Cancellation of orders for the establishment of stands.—(1) A District Magistrate may at any time revoke any order made by himself or any of his predecessors permitting the establishment of any stand if in his opinion any of the conditions of which the stand was permitted to be established have been contravened or the stand has not been satisfactorily managed or its continuance is no longer in the public interest.

(2) Before revoking any order under the preceding sub-rule the District Magistrate shall give the person authorised to administer the stand an opportunity of being heard, and shall record his reasons in writing.

(3) If an order permitting the establishment of a stand is not revoked under sub-rule (1) of this rule, it shall remain in force for three years or such lesser period as may be mentioned in the order and may be renewed from time to time by the District Magistrate for a further period of not more than three years.

7.23 Control over District Magistrate.— (1) Any person aggrieved by an order of the District Magistrate sanctioning the establishment of stand, or revoking or modifying an order permitting the establishment of a stand may within thirty-days of the receipt of the order, appeal to the Secretary to the Government, whose order, thereon shall be final and conclusive.

(2) Saving always the powers of the Commissioner as the authority appointed to hear appeals, the District Magistrates shall in all matters relating to the establishments of stands and the appointing of bus-stops be subject to the control of the State Transport Authority and shall comply with any particular or general instructions that may be issued by that Authority.

CHAPTER VIII

Insurance of Motor Vehicles against third party risks

8.1. The owner of a motor vehicle other than that to which sub-section (12) and sub-section (3) of section 95 applies shall, when applying for the payment of State Motor Vehicles Tax under section 4 of the Goa, Daman and Diu Motor Vehicles Taxation Act, 1965 along with his application, present or forward by post for the perusal of the Taxation Officer a certificate of insurance in form A as specified in the Schedule to this Rule showing that there is in force the necessary policy of insurance for the motor vehicle concerned.

THE SCHEDULE

Form A.

Motor Vehicles Act, 1939

Certificate of Insurance

(See rule 8.1 of the Rules)

Certificate No. Policy No. (Optional).

Certificate No. Policy No. (Optional).

1. Registration mark and number, or description of the Vehicles insured.
3. Effective date of commencement of insurance of the purposes of the Act.
4. Date of expiry of insurance.
5. Persons or classes of persons entitled to drive.
6. Limitation as to use.

I/We hereby certify that the policy to which this certificate relates as well as this certificate of insurance are issued in accordance with the provision of Chapter VIII of the Motor Vehicles Act, 1939.

...
(Authorised Insurer)

8.2. The Motor Vehicles Reserve Fund shall be established and the contribution thereto shall be made at the rate of not less than Rs. 200/- per annum per vehicle by the authorities specified in section 94; provided that the contribution may cease

when the maximum limit of Rs. 800/- per vehicle is reached, but it shall again be continued at the aforesaid rate when the accumulation in the fund falls below the maximum as a result of withdrawals from the Fund.

8.3. Application for Compensation.— (1) An application for compensation arising out of an accident of the nature specified in sub-section (1) of section 110, shall be made in Form C. T. I. in duplicate and shall contain all the particulars specified therein.

(2) Upon receipt of an application in accordance with sub-rule (1) the Claims Tribunal shall appoint a date for hearing, giving the respondents not less than fifteen days' period and supplying them simultaneously a copy of the application or substance thereof.

(3) In the matter of fixing date for the hearing of parties and their witnesses, adjourning proceedings, and dismissing applications in default or for other sufficient reasons the Claims Tribunal shall so far as the nature of the case may require or permit, be guided generally by the principles for the time being observed by Civil Courts.

8.4. Procedure and Powers of Claims Tribunal.

(1) The provisions of section 75, 76, 77 and 78 of the Code of Civil Procedure, 1908 and of Schedule 1 Order XXV, to that Code, in respect of commissions shall apply in the case of proceedings before the Claims Tribunal.

(2) All evidence shall be heard or recorded in the presence of the insurer or the persons against whom claim is lodged and they shall be given a reasonable opportunity to cross-examine and produce defence, if any, except where they default when *ex parte* proceedings shall be taken.

(3) No person preferring a claim or against whom a claim is lodged shall be allowed to engage counsel.

Provided that in cases involving death or bodily injury causing permanent disablement such person may with the sanction of the Claims Tribunal be represented by counsel.

(4) The Claims Tribunal may summon the Director of Transport for advice in matters, of rules and other provisions, to assist the Claims Tribunal in holding the inquiry. The Claims Tribunal may also require the Investigation Officer to produce relevant record in cases in which any preliminary enquiries may have been made by him.

(5) The Claims Tribunal may, in its discretion, award to a witness attending on summons a sum on account of his expenses not exceeding the sum to which the witness would have been entitled for such an attendance in a Civil Court. The sum so awarded shall be included in the costs of the proceedings.

(6) In enforcing of the orders, the Claims Tribunal shall have all the powers in regard to contempt, resistance and the like which a civil Court may exercise in the execution of a decree.

8.5. Fees.— (1) Every application for the claim of compensation shall bear a Court fee stamp of Rs. 2.

(2) Any person connected with the case shall be entitled to obtain a copy of any document filed with the Claims Tribunal on payment of a fee at the rate of 50 paise per page of about 200 words.

FORM C. T. I.
[See Rule 8.3(1)]

To

The Chairman,

The Motor Accidents Claims
Tribunal,

Residing at Applicant
versus

..... residing at
..... Respondent(s)

1. Vehicle's No. with date of accident.
2. Cause of accident with brief description.
3. Name and address of person with age, receiving bodily/fatal injuries.
4. Description of injuries.
5. Relationship of the applicant with deceased in case of fatal accident(s).
6. Monthly income/wages/earnings of the person receiving bodily/fatal injuries.
7. Manner in which deceased was/were employed at the time of accident.
8. Notice of the claim of compensation served on the vehicle owner/insurance company (Address of the vehicle owner/Insurance Company).
9. I/We, therefore, submit claim of compensation for Rs.

Applicant
(with complete address)

Receipt for claim of compensation

Book No.	Receipt No.	Register No.
Depositor		
Deceased or injured person		
Date of deposit		

CHAPTER X

Motor Vehicles Department

10.1. The constitution of the Motor Vehicles Department shall consists of:

- (1) Director of Transport.
- (2) Assistant Director of Transport.
- (3) Inspectors of Motor Vehicles.
- (4) Assistant Inspectors of Motor Vehicles.
- (5) Clerks.
- (6) Peons.
- (7) Weigh Bridge Operators.

10.3. Duties, Powers and Functions of the Motor Vehicles Department:

(1) The Officers and the staff of the Motor Vehicles Department shall be responsible for the administration and enforcement of the provisions of the Act and Rules made thereunder and carry out such duties as may be assigned to them in that behalf by the Head of the Department.

(2) Any Officer of the Motor Vehicles Department of and above the rank of Assistant Inspector of Motor Vehicles shall exercise the powers under the provisions of Section 73, 86(2), 87(1) 88, 89(b), 90, 106(1), 106(3), 128, 129 and 129(a).

10.4. Performance of functions of Inferior Officers by Superior Officers.

Notwithstanding anything contained in these Rules —

(1) The Director of Transport may at any time perform any of the functions of the Assistant Director of Transport or Inspector of Motor Vehicles or Assistant Inspector of Motor Vehicles.

(2) The Assistant Director of Transport may at any time perform any of the Functions of an Ins-

pector or Assistant Inspector of Motor Vehicles under these Rules.

(3) An Assistant Inspector of Motor Vehicles may at any time, if so desired by the Director of Transport, perform any of the function of any Inspector of Motor Vehicles under these Rules.

10.5. Uniforms — (1) The uniform will be so designed that it does not get mistaken for or confused with uniforms used by the regular Police force.

(2) Every Inspector of Motor Vehicles and Assistant Inspector of Motor Vehicles shall while on duty wear the uniform and insignia specified in Appendix «A». The Inspector of Motor Vehicles shall wear two stars and the Assistant Inspector of Motor Vehicles shall wear one star.

(3) This uniform shall not be worn by the members of the staff at fancy dress balls, in dramatic performances, or other entertainments, nor it shall be lent for use to any person.

(4) No Officer of the staff required to wear a uniform while on duty, shall cause a vehicle to stop, keep it stationary, enter, travel, inspect or carry out any duty imposed by or under these rules unless he is in uniform.

APPENDIX «A»

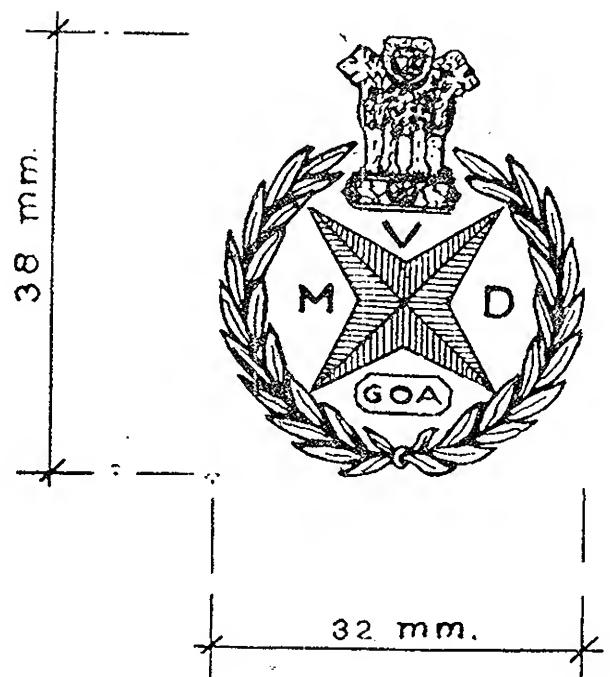
Uniform for the Officers of the Transport Department Enforcement Staff.

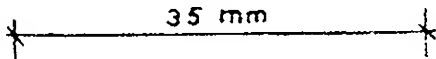
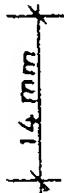
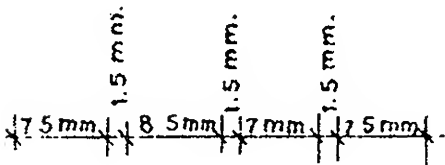
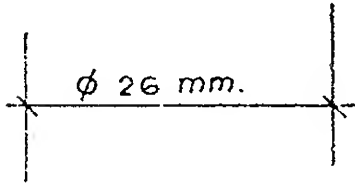
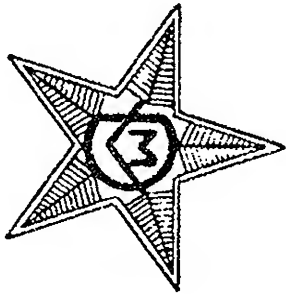
- (i) Slacks, Khaki drill.
- (ii) Bush-Shirt or shirt, (Khaki).
- (iii) Pea cap or Beret of navy blue colour.
- (iv) Whistle with cord.
- (v) A set of epauletters as illustrated.

INSIGNIA

APPENDIX 'A'

(Rule 10.5)





THE FIRST SCHEDULE

Registration marks to be assigned by the Registering Authorities for Goa, Daman and Diu

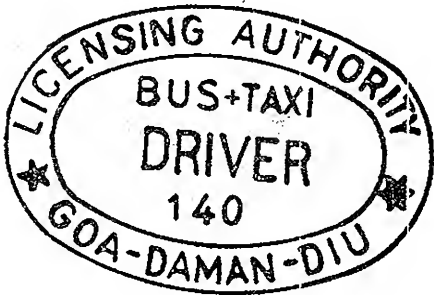
Registration marks to the vehicles shall be GDA, GDB, GDT and GDL.

THE SECOND SCHEDULE

Badges for drivers, conductors and ticket agents

Driver's badge

(See rule 4.48)



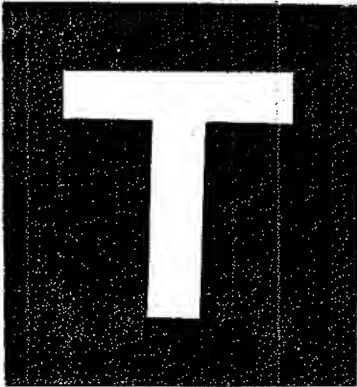
White metal of light weight (45 millimetres) in diameter. The words and the number to be engraved or embossed in blue.

Conductor's badge
(See rule 4.49)



White metal of a light weight (45 millimetres) in diameter. The words and the number to be engraved or embossed in blue.

THE THIRD SCHEDULE



FOURTH SCHEDULE

FORM L P S A

[Rule 2.2(v)]

Form of application for authorisation to drive a public service vehicle
To

The State Transport Authority ...

I apply for an authorisation to drive a public service vehicle within the Union Territory of Goa, Daman & Diu and forward herewith the driving licence held by me (No. ..., dated the ... issued by the Licensing Authority of ...).

Name of applicant ...

(In block letters or clear script)

Present address of applicant ...

Date ... 19...

Signature or thumb impression of applicant.

FORM F A B

[Rule 4.47 (1a)]

Form of Medical Certificate showing competence to undertake Firstaid Work.

I certify that ... aged about ... years is qualified to use the first-aid box.

(Dated)

Signature
Designation

FORM L P S

[Rule 2.2(vii)]

Form of intimation of grant of authorisation to drive
a public service vehicle

To

The Licensing Authority ...

An authorisation to drive a public service vehicle within the Union Territory of Goa, Daman & Diu has been issued by me on (date) ... in respect of driving licence No. ... dated the ... issued by you in favour of:—

Name of holder ...

Father's name ...

Present address of holder ...

Date ... 19...

Licensing Authority,

FORM L L D.

[Rule 2.8(i)]

Intimation of loss or destruction of driving licence and
application for duplicate

To

The Licensing Authority ...

I ... of (permanent address) ... and present address ... (father's/husband's name) ... hereby report that driving licence No. ... issued by the Licensing Authority ... on or about the ... day of ... 19..., has been ^{lost *} destroyed * in the following circumstances:—

2. I hereby apply for a duplicate driving licence and tender five rupees by cash/money order/cheque/chalan.

3. I attach two clear copies of a recent photograph of myself.*

4. I further declare that my driving licence is not impounded by any authority.

5. I hereby declare that there have been ^{following *} no endorsement by the Court since the date of ^{last renewal *} grant.

Date of endorsement, Court, Offence, Punishment

Dated ... 19...

(Duplicate signature or thumb impression)

Signature or thumb impression
of applicant

(Duplicate signature or thumb impression)

(Duplicate signature or thumb impression)

For use in the office of the Licensing Authority

PART I

* Duplicate of driving licence No. ..., first granted on... has been issued by me this ... day of ... 19...

* Application refused in letter No. ... dated the ... to the applicant giving reasons.

Dated ... 19...

Licensing Authority ...

PART II

(Part II, III and IV will be printed on a separate sheet to Part I and will be used if the application is made to an authority other than the original licensing authority)

Forwarded to the Licensing Authority ... for verification and completion of Part III.

Dated ... 19

Licensing Authority ...

PART III

Returned to the Licensing Authority ...

The Photograph and ^{Signature *} Thumb-impression have been compared with my records. No such driving licence appears to have been issued by this Office. *

I am not satisfied that the applicant was the holder of the driving licence described. *

I am satisfied that the applicant was the holder of a driving licence issued by this office as follows:— *

- (1) Number ...
- (2) Date of issue ... 19
- (3) Last renewed by the Licensing Authority ...
- (4) Date of expiry ... 19 ...
- (5) Classes of vehicle. * *
- (6) The driving licence—
 - (a) entitled the holder to drive as a paid employee. *
 - (b) carried authorisation to drive a transport vehicle, granted by * ...
 - (c) carried the following endorsements:—

Dated ... 19

Licensing Authority ...

PART IV

Returned to the Licensing Authority ..., for record.

A duplicate driving licence has been issued by me on the ... 19 ... *

and a copy of the photograph affixed thereto is attached. * I have, in my letter No. ... dated the ... declined to issue the duplicate driving licence applied for and I attach a copy of that letters *

Dated ... 19

Licensing Authority ...

* Strike out alternative not required.

** Here fill in (a), (b), (c) etc., as specified in Section 8(2) of the Act.

FORM L Tem.

[Rule 2.11(i)]

Temporary Authorisation to Drive

I have taken possession of the driving licence hereunder described:—

Name of holder ...

Father's name ...

Present address ...

No. of driving licence ...

Issued by the Licensing Authority of ...

Date of expiry ... 19...

Entitling the holder to drive, as a paid employee/otherwise than as a paid employee* vehicles of the following Classes:—

- (a) Motor cycle.
- (b) Invalid carriage.
- (c) Light Motor Vehicle.
- (d) Medium Motor Vehicle.
- (e) Heavy Motor Vehicle.
- (f) Motor Vehicle of a specified description.

(1) Authorising the holder to drive a public service vehicle/goods vehicle* in ...

(2) The holder is hereby exempted from the obligation to produce his driving licence so long as he is driving in accordance therewith.

(3) This authorisation is valid until the ... day of ... 19..., or until the driving licence has been suspended or cancelled by competent authority, whichever is sooner.

Date ... 19...
* ...

The above authorisation is hereby extended up to the ... day of ... 19..., on the same conditions.

Date ... 19...
* ...

* Strike out if inapplicable.
* Signature and designation of the authority or Court granting the authorisation of extension.

FORM L Tem. (Police).

[Rule 2.11(ii)]

Goa Police

Book No. ...
Form No. ...

Police Station or Traffic Staff —

Cross reference in report from Registration No. of vehicle —

Number of permit and Regional State Transport Authority by which issued (in the case of transport vehicles only) —

Scene of offence, with date and time —

Offence (Section of law or rule, with particulars) —

Name of accused person —
Temporary and permanent address of accused person —

Whereas you are being prosecuted for the offence described above, you are required to attend the court of ... Magistrate, 1st Class, ..., at 10 a.m. on ... to answer the said charge unless otherwise ordered by the Court. Your driving licence No. ... has been taken into my possession in pursuance of sub-section (2) of section 129 of the Motor Vehicles Act, 1939. Until the licence is returned to you or the Court has otherwise ordered this acknowledgment shall serve as an authority enabling you to continue to drive on the same terms as are applicable to your licence.

(Date)
(Signature and designation)

M. V. Act, 1939

FORM L. Lr.

Form of learner's licence

[Rule 2-13 (i) (a)]

No. ... Date ...

Name ...

Present Address ...

...
Father's name ...
is licensed to drive as a learner, subject to the provision of rule a motor vehicle of the following description:—
...

This licence is valid up to the ... day of ... 196....

Signature or thumb impression of the holder.

Licensing Authority ...

Warning — The holder of this licence must, before attempting to drive, acquaint himself with the general provisions of the Motor Vehicles Act, 1939, and the Goa, Daman and Diu Motor Vehicle Rules, 1965. His attention

is, in particular, directed to Rule 2-13(i) of those rules, which prohibits him from driving any motor vehicle other than that specified herein and then only (except in the case of a two-wheeled motor cycle with or without a side-car attached) if he has besides him a person duly licensed to drive the vehicle and in every case the vehicle carries «L» plates.

F. T. O.

No. ... Date ...

This licence is hereby renewed up to the ... day of ... 19....

Licensing Authority ...

No. ... Date ...

This licence is hereby renewed up to the ... day of ... 19....

Licensing Authority ...

No. ... Date ...

This licence is hereby renewed up to the ... day of ... 19....

Licensing Authority ...

FORM L. Lr. A

[Rule 2.13(ii)]

Form of Application for Learner's Licence

I — Application

To
The Licensing Authority ...

I hereby apply for a licence authorising me to drive as a learner a vehicle of the following description:—

Motor Cycle/Motor Car/Delivery Van/Light Transport Vehicle/Heavy Transport Vehicle.

II — Particulars to be furnished by applicant

- 1. Full name of applicant ...
- 2. Full name of father/husband ...
- 3. Permanent address ...
- 4. Temporary address ...
- 5. Age at date of application ...
- 6. Particulars of any licence previously held

III — Declaration as to physical fitness of applicant

The applicant is required to answer "Yes or No" in the space provided opposite each question.

- (a) Do you suffer from epilepsy or from sudden attacks of disabling giddiness or fainting? ...
- (b) Are you able to distinguish with each eye at a distance of 25 yds. in good daylight (with glasses if worn) a motor car number plate containing seven letters and figures? ...
- (c) Have you lost either hand or foot or are you suffering from any defect in movement, control, or muscular power of either arm or leg? ...
- (d) Can you readily distinguish the pigmentary colours red and green? ...
- (e) Do you suffer from night blindness?
- (f) Do you suffer from a defect of hearing? ...
- (g) Do you suffer from any other disease or disability likely to cause your driving of a motor vehicle to be a source of danger to the public? If so, give particulars ...

I declare that to the best of my information and belief the particulars given in Section II and the Declaration made in Section III hereof are true.

Date ...
Signature or thumb impression of applicant.

FORM L E

[Section 19 of the Motor Vehicle Act, 1939 & Rule 2.15(i)]
Intimation by Court of Endorsement of Licence

Court of ..., Magistrate ... Class,
...

To

The Licensing Authority, ...

Licence No. ..., dated the ..., issued by you in favour of —
Name ...

Name of father ...

Permanent address ...

Present address ... has been endorsed by this Court as follows: —

Date of endorsement ...

Section ... of the Motor Vehicles Act, 1939, ... and rule ... of the ...

Punishment ordered by the Court ...

Magistrate ... Class,
...

(Date)

Copy forwarded to the Licensing Authority, ... by whom
the licence was last renewed on ... 19...

Magistrate ... Class,
...

FORM L R

[Section 11 (4) of the Motor Vehicles Act, 1939 Rule 2.15(ii)]
Intimation of Renewal of Licence

From

The Licensing Authority,
...

To

The Licensing Authority,
...

Licence No. ... dated ... issued by you in favour of
Name ...

Name of father ...

Permanent address ...

Present address ... has been renewed by me for a period
of twelve months with effect from the ... day of ... 19...

Licensing Authority,
...

FORM L Ad.

[Section 6(3) of Motor Vehicle Act, 1939 & Rule 2.15(iii)]

Form of intimation when an addition has been made by one
Licensing Authority upon a driving licence issued by another
Authority in respect of the classes of vehicle which the
holder is entitled to drive

From

The Licensing Authority, ...

To

The Licensing Authority, ...

Driving Licence No. ..., dated the ... issued by you in
favour of —

Name ...

Name of father/husband ...

Permanent address ...

Present address ... has, with effect from the ... day of
... 19..., been extended by me to entitle the holder to drive
the following additional class of vehicle, namely: —

Date ... 19...

Licensing Authority ...

FORM R. L. W.

[Section 23(3) of the Motor Vehicles Act, 1939 & Rule 3.1(ii)]

Application for assignment of a registered laden weight
To a goods vehicle

To

The Registering Authority,
...

I, ... at present residing or doing business at ... hereby
apply for the assignment of a registered laden weight to the
vehicle described below.

1. Registration mark ...

2. Name of authority by which the certificate of registra-
tion was issued ...

3. Year of first registration, if known ...

4. Unladen weight, if stated on the certificate of regis-
tration ...

5. Load capacity, if stated in the certificate of registra-
tion ...

6. Maker's name ...

7. Maker's classification, if known and wheel-base ...

8. Whether fitted with auxiliary springs ...

9. Year of manufacture, if known ...

10. Chassis No. ...

11. Engine No. ...

12. Number, description and size of tyres ...

(a) Front axle ...

(b) Rear axle ...

(c) Any other axle ...

I hereby declare that the above particulars are to the best
of my knowledge and belief true and complete as possible.

(Date)

Signature or thumb-impression of applicant.

Certificate from maker or authorised dealer (1)

I hereby declare that to the best of my belief (2) the vehicle
described above is designed for a gross laden weight of ...
kgs.

(Date)

Signature of maker or dealer.

I have examined the vehicle. The particulars given by the
applicant are correct.

Inspector of Motor Vehicles,
...

(Date)

(1) The applicant is not bound to obtain and furnish this
certificate but he is advised to do so in his own interest if
he conveniently can.

(2) If the certificate is granted by the maker, the words
"to the best of my belief" should be struck out.

FORM CF Sub.

Rule 3.10(2)

Temporary Authorisation of use of vehicle when the certificate
of fitness has expired

The certificate of fitness (*) ...

...

Registration mark ...

Last renewed by ... on ... has expired.

I hereby authorise the use of the vehicle until the ... day
of ... 19, provided that it is forthwith removed with all
reasonable despatch to the area of the authority by whom
the certificate of fitness is due to be renewed.

Provided also that, while being used under this authorisa-
tion, the vehicle shall not —

(a) carry more than ... persons excluding the driver: (†)

(b) carry any goods: (†)

(c) be driven at a speed in excess of ... miles per hour (†)

Dated at ...

§

on the ... day of ... 19

.....

* Here enter brief description of vehicle.

† Strike out if not required.

§ Signature and designation of authority.

FORM C. F. X.

Rule 3.11(1)

Refusal to renew a certificate of fitness

Registration mark ...
 Engine No. ...
 Chassis No. ...
 Make and model ...
 Type of vehicle ...
 Particulars of owner ...
 Date of inspection ...

The vehicle described above fails in our opinion to comply with the provisions of Chapter V of the Motor Vehicles Act, 1939, in that it exhibits the defects indicated below.

2. The certificate of fitness has accordingly been impounded.

3. The vehicle may be produced for re-examination on the ... 19 ... (or at any reasonable time at the owner's convenience). Until the certificate of fitness is returned the vehicle may be driven only to such an extent as may be necessary in connection with the remedying of the defect, and then subject to the condition that no passenger shall be carried therein for hire or reward and that no goods shall be carried other than goods required in connection with the repair of the vehicle.

(Date)

Inspector of Motor vehicles

DEFECTS

FORM C. R. Tem.

[Rule 3.14(1)]

Counterfoil

Book No. ...
 Serial No. ...

GOVERNMENT OF GOA, DAMAN AND DIU

Temporary Certificate of Registration
 Issued by ...
 Owner's Name and Address ...

Description of vehicle

Make ... H.P. ...
 Engine No. ... Ch. No. ...
 Type of body ...
 Colour ...

Temporary Registration Mark assigned to the Vehicle

Place in which the vehicle is to be permanently registered ...

Date of issue of Temporary Certificate ...

Valid up to the ...

TEMPORARY CERTIFICATE OF REGISTRATION

Foil B

Book No. ...
 Serial No. ...

GOVERNMENT OF GOA, DAMAN AND DIU

Temporary Certificate of Registration
 Issued by ...
 Owner's Name and Address ...

Description of vehicle

Make ... H.P. ...
 Engine No. ... Ch. No. ...
 Type of body ...
 Colour ...

Temporary Registration Mark assigned to the Vehicle

Place in which the vehicle is to be permanently registered ...

Valid for ten days from the ...

Copy forwarded to the District Magistrate ... for information.

(Date)

(Issuing Authority)

Foil A

Book No. ...
 Serial No. ...

GOVERNMENT OF GOA, DAMAN AND DIU

Temporary Certificate of Registration
 Issued by ...
 Owner's Name and Address ...

Description of vehicle

Make ... H.P. ...
 Engine No. ... Ch. No. ...
 Type of body ...
 Colour ...

Temporary Registration Mark assigned to the Vehicle

Place in which the vehicle is to be permanently registered ...

(Issuing Authority)

This temporary certificate is valid up to the ... 19 ..., only, and the vehicle must be presented for permanent registration before that date.

FORM C. R. L. D.

Rules 3.15(1) and 3.16(1)

Intimation of loss or destruction of certificate of registration or certificate of fitness and application for duplicate

To

The Registering Authority ...

The certificate of registration/fitness of my Motor Vehicle, the registration mark of which is ... has been lost/destroyed in the following circumstances:—

I hereby declare that to my knowledge the registration of the vehicle has not been either suspended or cancelled under any of the provisions of the Act or Rules made thereunder and I herewith deposit the fee of Rs. ... and apply for the issue of duplicate certificate of registration/fitness.

Date ... Signature or thumb impression of applicant.

Name and address {
 of the owner {

FORM R. Tem.

Sect. 86 of M. V. A. 1939 and Rule 3.18(1)
 Receipt for certificate of registration and certificate of fitness of a transport vehicle

I have taken possession of the certificate of registration and the certificate of fitness hereunder described:—

1. Registration number ...
 Engine number ...
 Chassis number ...
 Seating capacity including driver ...
 Last date of expiry of the certificate of fitness ...
 Name of holder ...

Father's name ...
 Present address ...

2. The holder is hereby exempted from the obligation to produce his certificate of registration and the certificate of fitness.

3. This receipt is valid until the ... day of ... 19 ..., or until the licence has been suspended or cancelled by competent authority, whichever is sooner.

(Date)

(1) ...

The above receipt is hereby extended up to the ... day of ... 19 ... on the same conditions.

(1) ...

¹Signature and designation of the authority granting or extending the receipt.

FORM HP Ter.

[Rule 3.21(2)]

Notice of termination of agreement of hire-purchase

To

The Registering Authority, ...

We the undersigned hereby request that the note endorsed on the certificate of registration, forwarded herewith, of vehicle No. (*) in respect of an agreement of hire-purchase between us, be cancelled.

Signature or thumb impression of registered owner.

Date ... 19...

Date ... 19...

Signature of other party.

* Here enter registration mark.

FORM T. O.

[Rules 3.21(3) and 3.22(4)]

Intimation of Transfer of Ownership of a Motor Vehicle

I (1) ... aged ... son/daughter/wife of * ... of (2) ... forward herewith the certificate of registration of motor vehicle No. ... (3) the ownership of which has been transferred to me by (4) ... and hereby request that the said vehicle may be registered in my name and that the certificate of registration be amended accordingly.

Signature or thumb impression of transferee

Dated ... 19...

Endorsement in the case of a vehicle which is the subject of an agreement of hire purchase

I/We * being a party to an agreement of hire purchase in respect of the vehicle specified above consent to the transfer of ownership of the said vehicle to (1) ... with whom I/we* have entered into an agreement of hire purchase in respect of this vehicle.

Signature of the hire purchase party.

Dated ... 19...

(* Strike out if not applicable)

FORM CRTI

[Rule 3.22 (2)]

Communication to Original Registering Authority of Transfer of Ownership of a Motor Vehicle

To

The Registering Authority, ...

Motor Vehicle No. ... (1) registered by you in the name of ... has, with effect from the ... day of ... 19..., been transferred to the name of ... (2) son/daughter/wife of ... of (3) ...

The other party to the hire-purchase agreement has consented to the transfer, and has entered into an agreement of hire-purchase in respect of the vehicle with the transferee (4).

Date ... 19...

Registering Authority, ...

- (1) Here enter registration mark.
(2) Here enter full name of the transferee.
(3) Here enter address of transferee.
(4) Strike out if inapplicable.

FORM R M A

[Rule 3.23(1)]

Intimation of change of State of residence and application for new registration mark

(Section 29, Motor Vehicles Act, 1939)

To

The Registering Authority, ...

I ... of ... being the owner of motor vehicle No. ... hereby declare that I have, since the ... day of ... 19..., kept the said motor vehicle in the State of ... and hereby apply for the assignment to the motor vehicle of a new registration mark.

I enclose the certificate of registration and the certificate of fitness* of the vehicle.

Date ... 19...

Signature or thumb impression of owner

* Strike out words «and the certificate of fitness» if inapplicable.

FORM R M I

[Section 29 of Motor Vehicles Act 1939 and Rule 3.23(2)]

Intimation of assignment of new registration mark and call for records from original authority

From

The Registering Authority, ...

To* ...

I hereby assign the registration mark ... to the motor vehicle previously registered as ...

The new mark shall, within ten days of the issue of this notice, be affixed to the vehicle in the place of the old and in the manner prescribed.

Date ... 19...

Registering Authority, ...

Copy forwarded to the Registering Authority, ... for information. The registration records of the vehicle or a certified copy of the same may be transferred to this office.

Date ... 19...

Registering Authority, ...

* Here enter full name and present address of owner.
If the vehicle is the subject of a hire-purchase agreement, a copy of this letter should be sent to hire purchase company concerned.

FORM T. C. A.

[Rule 3.26(2)]

Application for a trade certificate or certificates

To

The Registering Authority ...

I

We

of ... being (a) manufacturer (s) of motor vehicles, hereby apply for ... trade certificate which I declare to be bona fide necessary for the purpose of my business as herein stated, and I herewith tender the fee of ... rupees by my business is that ...

(Date)

Signature of applicant(s)

FORM T. C.

[Rule 3.26(5)]

Trade certificate

Counterfoil.

1. Trade registration mark as provided in rule 3.27(5).
2. Name and address of holder of the certificate.
3. Date of expiry.
4. Date of issue.
5. Signature of authority.



FORM T. C. R.

[Rule 3.26(10)]

Register of trade certificates

Record of the use of trade registration marks Nos. ...

Date	Final letter of mark used and registration mark in case of second-hand vehicle	Description of Vehicle	Purpose for which sent out	Driver's name	HOUR OF		Signature of holder of certificate or responsible agent.	Remarks
					Leaving premises	Returning to premises		
1	2	3	4	5	6	7	8	9

Note — Supplied of this register will not be printed and stocked by Government. Holders of trade certificate will make their own arrangement for printing.

FORM P St. P. A.

[Rule 4.8 (1) (a)]

Application for a permit in respect of a particular stage carriage

To

The Director of Transport.

In accordance with the provisions of sections 45, 46 and 57 of the Motor Vehicles Act, 1939, I/We the undersigned hereby apply for a permit under section 42 of that Act in respect of a stage carriage as hereunder.

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Route or area for which the permit is desired.
5. Brief (description) of vehicle (1) ...
6. Seating capacity.
7. A time-table ^{is appended} will be arranged with other operators on the route (Alternatively). — No time-table is proposed but I undertake to run the following minimum service.
8. The standard rate of fare which it is proposed to charge is ... paise per passenger per kilometer.
9. Particulars of any stage carriage or contract carriage permit (or similar authorisation under the Indian Motor Vehicles Act, 1914), valid in the [State] and held by the applicant in respect of.
 - (a) this vehicle ...
 - (b) any other vehicle ...
 Details of any route or routes over which this vehicle was operated regularly ...

¹ Here state date of manufacture, where bus type with side entrance or lorry types with entrance at rear and other relevant particulars.

² Substituted for the word "Province" by Adaptation of Laws order, 1950.

10. Particulars of any permit or public motor vehicle licence held by the applicant in respect of the use of any transport vehicle in [India] during the last four years which has been the subject of an order of cancellation.

.....

11. (i) I/We desire to use the vehicle for the carriage of goods as a public/private carrier and I/We apply for a public/private carrier's permit in addition to a stage carriage permit in respect of the route, routes or area above specified.
(ii) I/We intend to carry goods of the following description ...

12. I/We desire to use the vehicle as a contract carriage within the area specified below ...

13. I am/We are already in possession of the vehicle which is my own property. (If the vehicle is not the property of the applicant, give particulars of the hiring agreement).

14. I/We have not yet obtained possession of the vehicle and I/we understand that the permit will not be issued until I/we have done so and have produced the certificate of registration.

15. I/We intend to drive the vehicle.

16. I/We desire a permit valid for ... years.

17. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

(Date)

Signature or thumb-impression of applicant.

To be filled in the office of the Regional Transport Authority.

1. Date of receipt.
2. Date of publication.
3. Date or dates of hearing of objections.

Granted

4. Granted in modified form on the ... day of ... 19 ...

Rejected

5. Number of permit issued.

Secretary,
State Transport Authority.

³ Strike out inapplicable entries or alternatives throughout.

FORM P St. S. A.

[Rule 4.8 (1) (b)]

Application for a permit in respect of a service of stage carriages

To

The State Transport Authority.

In accordance with the provisions of sections 45, 46 and 57 of the Motor Vehicles Act, 1939, I/We the undersigned hereby apply for a permit under section 42 of that Act in respect of a service of stage carriages as hereunder set out: —

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Route or area for which the permit is desired ...
5. Maximum number of vehicles which it is desired to operate at any one time under the terms of the permit ...
6. Minimum number of vehicles which will be operated at any one time under the terms ... of the permit in the area or on any route or and part of any route, and the minimum number of daily vehicles trips ...
7. The type or types of vehicle to be used on the service and the approximate seating capacity are.
 - ... vehicles of not less than ... and not more than ... seats
 - ... vehicles of not less than ... and not more than ... seats
 - ... vehicles of not less than ... and not more than ... seats
 - ... vehicles of not less than ... and not more than ... seats

8. Particulars of the time-table(s) proposed are appended.

9. The standard rate of fare which it is proposed to charge is ... Paise per passenger per kilometer.

10. Particulars of any stage or contract carriage permit (or similar authorisation under the Indian Motor Vehicles Act, 1914), valid, in the [State], held by the applicant, and details of the route over which or area in which the applicant's vehicles were regularly operated.

.....

11. Particulars of any permit or public motor vehicle licence held by the applicant in respect of the use of any transport vehicle in [India] during the last four years which has been the subject of an order of cancellation.

.....

12. Provided that sufficient passengers do not offer at any time I/We desire to carry goods in these vehicles in addition to passengers on the understanding that goods will be so carried on not more than ... of the vehicle trips on any route on any one day and that not more than ... the accommodation for passengers in any vehicle will be replaced by goods.

13. ^I_{we} declare that not more than ... of these vehicles are or will be the subject of permits (other than temporary permits) for use as contract carriages.

14. ^{I am}_{we are} at present in possession of ... vehicles available for use under the permit applied for. The vehicles are my/our own property. (If the vehicles are not the property of the applicant, give particulars of the hiring agreement).

15. ^I_{we} desire a permit valid for ... year.

16. ^I_{we} hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to ^{me}_{us}.

(Date)

Signature or thumb-impression of applicant.

To be filled in the office of the ... State Transport Authority.

1. Date of receipt.
2. Date of publication.
3. Date or dates of hearing of objections.

Granted

4. Granted in modified form on the ... day of ... 19 ...

Rejected

5. Number of permit issued.

Secretary,
State Transport Authority.

¹ Substituted for the word "Province" by Adaptation of Laws Order, 1950.

² Substituted for the word «British India» by Act III of 1951.

FORM P. Co. P. A.

[Rule 4.8(1)(c)]

Application for a permit in respect of a particular contract carriage to be regularly so used

To

The State Transport Authority,
Director of Transport

In accordance with the provisions of sections 45, 49 and 57 of the Motor Vehicles Act, 1939, I the undersigned hereby apply for a permit under section 42 of that Act in respect of a contract carriage as hereinafter set out—

1. Full name ... Age ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Route or area for which required ...
5. The type of vehicle† ...
6. Approximate seating capacity:—Not less than ... and not more than ... seats.

7. Particulars of service to be performed by the contract carriage (not necessary in case of a motor cab), and the manner in which it is claimed that the public convenience will be served—

...
...
...

8. Particulars of any stage carriage or contract carriage permit valid in the State or any other and held by the applicant in respect of—

- (a) this vehicle ...
- (b) any other vehicles ...

† Here state whether single or double deck, fixed or hood only, glass windows or side curtains.

9. Particulars of any permit held by the applicant in respect of the use of any transport vehicle in any State during the last four years which has been the subject of an order of suspension or cancellation—

...
...
...

10. I enclose cash cheque money-order receipt chalan for Rs. ... being the prescribed fee.

I am in possession of the vehicle the certificate of registration of which is enclosed.

11.

I have not yet obtained possession of the vehicle and I understand that the permit will not be issued until I have done so and have produced the certificate of registration and further declare that propose to purchase a vehicle manufactured in the year ...

12. I intend to drive the vehicle.

13. I desire a permit valid for ... years.

14. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me.

Dated ... 19...

Signature or thumb-impression of applicant.

Strike out inapplicable alternatives throughout

(To be filled in in the Office of the Transport Authority)

1. Date of receipt ...
2. Amount of rupees ... received, *vide* receipt No. ..., dated...
circulation to members
3. Date of consideration at meeting
decision by Chairman
Rejected
4. Granted in modified form on the ... day of ... 19...
Granted
5. Number of permit issued ...

Secretary,

State Transport Authority.

...

FORM P. Co. S. A.

Rule 4.8(1)(g)

Application for a permit in respect of one or more casual contract carriages

To be used in the case of a proprietor of a fleet of buses or cabs who wishes to have a permit for the occasional use of a bus or cab as a contract carriage beyond what is covered by Permit P. St. S. or by permit P. Co. P.)

To

The State Transport Authority ...

In accordance with the provisions of sections 45, 49 and 57 of the Motor Vehicles Act, 1939, I we hereby apply for a permit under section 42 of the Motor Vehicles Act, 1939, in respect of a casual contract carriage or carriages as hereinafter set out:—

1. Full name ...
2. Name of father (in the case of an individual) ...
3. Address ...
4. Particulars of the number and types of vehicles for different areas or routes:—

No. of vehicles	Type	Approximate seating capacity	Area or route

5. Particulars of the service to be performed by the contract carriages and the manner in which it is claimed that the public convenience will be served:—

.....
.....

6. Particulars of any stage or contract carriage permit (or similar authorisation under the Indian Motor Vehicles Act, 1914) held by the applicant and valid in the province:—

.....
.....

7. Particulars of any permit (or similar authorisation under the Indian Motor Vehicles Act, 1914) held by the applicant in respect of the use of any transport vehicle in British India during the last four years which has been the subject of an order of suspension or cancellation:—

.....
.....

8. I We enclose cash cheque money order receipt chalan for Rs. ... being the prescribed fee.

9. I We in possession of the necessary vehicles which are covered for other uses by the permit specified below:—

.....
.....

10. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me us

Date ... 19

Signature or thumb-impression of applicant(s).

Strike out inapplicable alternatives throughout

1. Date of receipt ...
circulation to members
2. Date of consideration at meeting
decision by Chairman
Granted
3. Granted in modified form on the ... day of ... 19 ...
Rejected
- Number of permits ...

Secretary,

State Transport Authority.

...

FORM P. Pu. C. A.

Rule 4.8(1)(e)

Application in respect of public carrier's permit

To
The State Transport Authority
Director of Transport

In accordance with the provisions of sections 45, 54 and 57 of the Motor Vehicles Act, 1939, I, the undersigned, hereby apply for a public carrier's permit under section 42 of that Act as hereinafter set out:—

- 1. Full name ... Age ...
- 2. Name of father (in the case of an individual) ...
- 3. Address ...
- 4. The route, routes or area for which the permit is desired ...
- 5. The nature of goods proposed to be carried ...

5-A. Type and capacity of vehicles including trailer and alternative trailers of articulated vehicle:—

No. of vehicles	Type	Load capacity kgs.	Laden weight kgs.	Registration marks
1	2	3	4	5

Notes.—(1) If any of the vehicles is not in the possession of the applicant it will suffice if the figures in columns 3 and 4 are correct within ten per cent, above or below subject to any limitation of weight in force. The certificates of registration must be presented to the Transport Authority so that the Registration marks may be entered in the permit before the permit is issued.

(2) If the application is in respect of a larger number of vehicles than can be specified above, an additional schedule may be appended to the Form.

6. Particulars of the service to be performed by the vehicles and the manner in which it is claimed that the public need will be served:—

7. Whether applicant is a co-operative society, if so, state registration particulars, etc. ...

8. Arrangements made for the housing of the vehicle

9. Arrangements made for storage and safe custody of goods ...

10. Particulars of any public carrier's permit valid in the State and held by the applicant at present or at any time during the last two years and of the maximum and minimum rates charged for the carriage of goods thereunder:—

11. Particulars of any public carrier's permit, valid in any State and held by the applicant which has been the subject of any order of suspension or cancellation:—

12. Particulars, other than particulars furnished under item 7, of any agreement or arrangement affecting in any material respect the provision (within the region of the State Transport Authority) of facilities for the transport of goods for hire or reward, entered or proposed to be entered into by the applicant, with any other person by whom such facilities are provided whether within or without the region:—

13. (1) I desire to use the vehicle or vehicles as a private carrier for the carriage of goods which are my own property or the carriage of which is incidental to my business of

(2) The goods which I desire to carry as a private carrier are:—

14. I enclose

cash
cheque
money order receipt
challan

 for ... rupees being the prescribed fee.

15. I forward herewith the certificate of registration of the vehicle, or I will produce the certificate of registration of the vehicle before the permit is issued.

16. I desire a permit valid for ... years.

17. I hereby declare that the statements are true and agree that they shall be conditions of any permit issued to me.

Dated ... 19 Signature or thumb-impression of applicant,

Strike out inapplicable alternatives throughout

(To be filled in in the office of the Transport Authority)

- 1. Date of receipt ...
- 2. Amount of rupees ... received vide receipt No., dated ...
- 3. Date of publication ...
- 4. Date or dates of hearing of objections, if any ...
Granted
- 5. Granted in modified form on the ... day of ... 19
Rejected
- 6. Number of permit issued ...

Secretary,
State Transport Authority,
...

[Note.—If the particulars are extensive, append further statement].

FORM P. Tem. A.

Rule 4.8(1)(f)

Application in respect of a temporary permit

To
The State Transport Authority ...

In accordance with the provisions of sections 45 and 62 of the Motor Vehicles Act, 1939, ^I_{we} the undersigned hereby apply for a temporary permit under section 42 of that Act as hereinafter set out.

- 1. Full name ...
- 2. Name of father (in the case of an individual) ...
- 3. Address ...
- 4. Purpose for which permit is required:—

5. Route or routes ...

6. Period of duration of permit; from ... to ...

7. Type and ^{laden weight}_{seating capacity} of the vehicle or vehicles for which the permit is required:—

8. (1) The registered owner (s) of the vehicle (s) ^{is}_{are} ... and the registration mark (s) ^{is}_{are} ...

... or
(2) The ^{vehicle has}_{vehicles have} not yet been hired by ^{me}_{us} and ^I_{we} undertake to intimate the registration mark (s) if required within twenty-four hours of hiring the ^{vehicles}_{vehicle}.

9. ^I_{we} enclose

cash
cheque
money order receipts
challan

 for Rs. ... being the prescribed fee.

10. ^I_{we} hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to ^{me}_{us}.

Signature or thumb-impression of applicant (s).
Date ... 19

Strike out inapplicable alternatives throughout

(To be filled in in the office of the Transport Authority)

- 1. Date of receipt ...
Granted
- 2. Granted in modified form on the ... day of ... 19
Rejected
- 3. Permit number ...
- 4. Registration mark (s) of vehicle (s), if intimated after issue ...

Secretary,
State Transport Authority,
...

FORM P. Pr. C. A.

[Rule 4.8(1)(d)]

Application in respect of a Private Carrier's Permit

To

The
State Transport Authority
Director of Transport

....
In accordance with the provisions of sections 45, 52 and 57 of the Motor Vehicles Act, 1939, I, the undersigned, hereby apply for a private carrier's permit under the provisions of section 42 of that Act as hereunder set out:—

- 1. Full name ...
- 2. Name of father (in the case of an individual) ...
- 3. Address ...
- 4. The area for which the permit is desired ...
....
- 5. Type and capacity of vehicles including trailers and the alternative trailers of articulated vehicles:—

No. of vehicles	Type	Load capacity kgs.	Laden weight kgs.	Regis- tration marks
1	2	3	4	5

Notes. — (1) If any of the vehicles is not in the possession of the applicant it will suffice if the figures in columns 3 and 4 are correct within ten per cent, above or below, subject to any limitation of weight in force. The certificate of registration must be presented to the Transport Authority so that the Registration marks may be entered in the permit before the permit is issued.
(2) If the application is in respect of a larger number of vehicles than can be specified above, an additional schedule may be appended to the same Form.

- 6. The nature of the applicant's business ...
....
- 7. Specification of the goods to be carried ...
....
- 8. Particulars of any other private carrier's permit held by the applicant ...
....
....

I enclose cash
cheque
money order receipt for Rs. ... being the
chalan prescribed fee.

- 10. I desire a permit valid for ... years.
- 11. I hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me.

Signature or thumb-impression of applicant.
....

Dated ... 19 ...

Strike out inapplicable alternatives throughout

(To be filled in the office of the State Transport Authority)

- 1. Date of receipt ...
- 2. Amount of rupees ... received, vide receipt No. ... dated ...
circulation to members
- 3. Date of consideration at meeting
decision by Chairman
- 4. Granted in modified form on the day of 19 ...
Granted
Rejected
- 5. Number of permit issued ...

Secretary,
State Transport Authority,
....

FORM P. St. P.

[Rule 4.8(1)(a)]

Permit in respect of a particular stage carriage

PART «A»

P. St. P. (No.) ...

- ... (1) Transport Authority ...
- 1. Name of holder ...
- 2. Father's name ...
- 3. Address ...
- 4. (a) Registration mark ...
(b) Registration mark of reserve vehicle, (if any) ...
- 5. Number of passenger's seats ...
- 6. Whether persons may be carried standing in the vehicle, and, if so, their number and subject to what conditions ...
- 7. Route/Area (3) for which the permit is valid ...
- 8. Date of expiry ...
- 9. Rate of fares ...
- 10. Particulars of time-table to be observed ...
- 11. Whether goods may be carried solely or in addition to passengers and their personal luggage, and conditions subject to which the goods may be so carried ...
- 12. The vehicle above described may be used by the holder of this permit as a contract carriage within the areas hereunder specified and subject to the following conditions ...
- 13. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of Section 59 of the Act:

- (a) Fares table and time tables of the routes and approved by the Regional Transport Authority shall be exhibited on the vehicle and on the stands and halts specified below ...
- (b) The Regional Transport Authority may after giving notice of not less than one month—
(i) vary the condition of the permit;
(ii) attach to the permit further conditions.
- (c) Arrangement stated in the application for housing, maintenance and repair of the vehicle and for storage and safe custody of luggage and goods will be maintained.
- (d) The records to be maintained and the dates on which returns are to be made to the Transport Authority ...
- (e) Any other conditions:
....
....
....

14. This permit shall, to the extent specified in entry 11 above, be deemed to be a public carrier's permit.

15. This permit shall, to the extent specified in entry 12 above, be deemed to be a contract carriage permit (1).

16. Under the provisions of rule 82, this permit is valid also in the regions and subject to the conditions set out below:

Region	1 Route/Area	Conditions.

Dated ... 19...

Secretary,
... Transport Authority,
....

(1) Strike out if inapplicable.

Renewals

This permit is hereby renewed up to the ... day of ... 19...
Subject to the following further conditions:—

It is effective also upto the date above written and subject to any conditions attached to the previous countersignature in the following regions ...

Dated ... 19...

Secretary,
... Transport Authority,
....

Countersignature
Countersigned as required by section 63 of the Motor Vehicles Act, 1939, for
Route }
Area } ...
Subject to the following variation of conditions:
Dated ... 19...

Secretary,
... Transport Authority,
...

- 1. Here enter the name of the Region.
- 2. Here enter the name of the State.
- 3. Strike out word not required.

Summary to be exhibited on the vehicle

PART «B»

- ... Transport Authority ...
- P. St. P. No. ...
- 1. Name of holder ...
- 2. Vehicle registration mark ...
- 3. Route ...
- 4. Date of expiry ...
- 5. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Motor Vehicles Act, 1939 ...
- 6. Any other condition ...

Secretary,
... Transport Authority,
...

Dated ... 19...

Renewal

Renewed up to ... 19...

Secretary,
... Transport Authority,
...

Dated ... 19...

Countersignature

... Transport Authority ... P. St. P. No. ...

Countersigned for:

Secretary,
... Transport Authority,
...

Dated ... 19...

Renewal of countersignature

Renewed up to ... 19...

Secretary,
... Transport Authority,
...

Dated ... 19...

FORM P. St. S.

[Rule 4.9(1)(b)]

Permit in respect of a service of state carriages

PART «A»

- ... Transport Authority ...
- ... P. St. S. (No.) ...
- 1. Name of holder ...
- 2. Father's name ...
- 3. Address ...
- 4. Route/Area for which the permit is valid ...
- ...
- ...
- 5. The type/types of vehicles to be used on the service and the seating capacity:
 - ... vehicles of ... seats.
 - ... vehicles of ... seats.
 - ... vehicles of ... seats.
 - ... vehicles of ... seats.
 - ... vehicles of ... seats.
- 6. Date of expiry ...
- 7. Maximum and minimum fares, ...
- 8. Particulars of time-table to be observed, ...
- 9. Whether goods may be carried on any or all of the vehicles solely or in addition to passengers, and the conditions subject to which goods may be so carried ...

- 10. Whether persons may be carried standing in any or all of the vehicles and if so, at what percentages of the seating capacity and subject to what conditions ...
- 11. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of section 59 of the Act:

- (a) Fare tables and time tables of the routes and approved by the Regional Transport Authority shall be exhibited on the vehicle and on the stand and halts specified below ...
- (b) The Regional Transport Authority may after giving notice of not less than one month,
 - (i) vary the conditions of the permit;
 - (ii) attach to the permit further conditions.
- (c) Arrangements stated in the application for housing, maintenance and repair of the vehicle and for storage and safe custody of luggage and goods will be maintained.
- (d) The records to be maintained and the dates on which returns are to be made to the Transport Authority ...
- (e) Any other conditions:

- 12. This permit shall to the extent specified in entry 9 above, be deemed to be a public carrier's permit.
- 13. Under the provisions or rule ..., this permit is valid also in the regions and subject to the conditions set out below:

Region.	Route/Area.	Conditions.
---------	-------------	-------------

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewals.

This permit is hereby renewed up to the ... day of ... 19 .
Subject to the following conditions ...
It is effective also up to the date above written, and subject to any conditions attached to the previous countersignature, in the following regions ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Countersignature.

... Transport Authority ... P. St. S. (No.) ...
Countersigned for Route/Area ...
Subject to the following variation of conditions ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewal of countersignature.

This countersignature is hereby renewed up to the ... day of ... 19 .

Secretary,
... Transport Authority,
...

Dated ... 19 .

Summary to be exhibited on each vehicle.*

PART «B»

- ... Transport Authority ...
- Stage Carriage Service Permit P. St. S. (No.) ...
- 1. Name of holder ...
- 2. Type of vehicle ...
- 3. Capacity: --- Not less than ... seats, not more than ... seats.
- 4. Route or area ...
 - In region of issuing authority: ...
 - In other regions: ...
- 5. Date of expiry ...

6. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act...

7. Any other conditions ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewals.

Renewed up to ... 19 .

Secretary,
... Transport Authority,
...

Countersignature.

... Transport Authority, ... P. St. S. (No.) ...
Countersigned: ...
Subject to: ...

Secretary,
... Transport Authority,
...

Dated ... 19 .

Renewal of countersignature.

Countersignature renewed up to ... 19 .

Secretary,
... Transport Authority,
...

Dated ... 19 .

* One copy of the summary to be issued for each vehicle covered by the permit.
† Here enter the number of the permit and in brackets, the serial number up to total number of vehicles.

FORM P. Co. P.
[Rule 4.9(1)(c)]

Permit in respect of a particular contract carriage

PART A

P. Co. P. (No.) ...

- ... * Transport Authority ... †
1. Name of holder ...
 2. Father's name ...
 3. Address ...
 4. (1) Registration mark ...
 5. Maximum number of passengers permitted to be carried...
 6. Route/Area, for which the permit is valid ...
 7. Date of expiry ... 19 .
 8. Rate of fare per mile km. ...
 9. Whether a taximeter is to be fitted and (if so) the type (in case of motor cab only) ...
 10. This permit shall be subject to the following conditions in addition to the conditions laid down in sub-section (3) of section 59 of the Act ...
 - (a) The Regional Transport Authority may, after giving notice of not less than one month: ---
 - (i) vary the conditions of the permit;
 - (ii) attach to the permit further conditions.
 - (b) The Records to be maintained and the date on which returns are to be made to the Transport Authority:
 - (c) Any other conditions ...
 11. This permit does not entitle the holder to use the vehicle herein described as a stage carriage or as a goods vehicle for hire.
 12. Under the provisions of rule 82, this permit is valid also in the regions and subject to the conditions set out below: ---

Region	Route/Area	Conditions

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewals

This permit is hereby renewed up to the ... day of ... 19 . subject to the following conditions: ---
It is effective also up to the date above written and subject to any conditions attached to the previous countersignature in the following regions: ---

Secretary,
... Transport Authority,

Dated: ... 19 .

Countersignature

... Transport Authority, ...

P. Co. P. (No.) ...

Countersigned for Route/Area: ...
Subject to the following variation of conditions: ...

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewal of countersignature

The above countersignature is hereby renewed up to the ... day of ... 19 , subject to the following conditions: ---

Secretary,
... Transport Authority,

Dated: ... 19 .

Summary to be exhibited on the vehicle

PART «B»

- ... Transport Authority ...
- Particular Contract Carriage Permit P. Co. P. (No.) ...
1. Name of holder: ...
 2. Registration mark: ...
 3. Route/Area: ...
 4. Date of expiry: ... 19 .
 5. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
 6. Any other conditions: ...
 7. Fare ... per mile km.
 8. Type of taximeter, if any: ...

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewal

Renewed up to ... 19 .

Secretary,
... Transport Authority,

Dated: ... 19 .

Countersignature

... Transport Authority, ...

P. Co. P. (No.) ...

Countersigned for ...
Subject to: ...

Secretary,
... Transport Authority,

Dated: ... 19 .

Renewal of countersignature

Countersignature renewed up to ... 19 .

Secretary,
... Transport Authority,

Dated: ... 19 .

* Here enter «State» or the name of the region, as the case may be.
† Here enter the name of the State.

FORM P. Pr. C.
[Rule 4.9(1)(d)]

Private carrier's permit

PART «A»

... Transport Authority ...

No. P. Pr. C. ...

1. Name of holder ...
2. Father's name (in the case of an individual) ...
3. Address ...

4. Area for which permit is valid ...
With the exception of the following roads ...
5. Type and capacity of vehicles, including trailers and the alternative trailers of articulated vehicles: —

Number of vehicles	Type	Load capacity lbs.	Laden weight	Registration marks
--------------------	------	--------------------	--------------	--------------------

6. Nature of goods to be carried.
...
...
7. Date of expiry ... 19 .
8. Records to be maintained and the date on which returns are to be made to the Transport Authority.
...
...
9. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
10. Any other conditions: ...
...
11. Under the provisions of rule 83, this permit is valid also in the regions and subject to the conditions set out below:

Regions	Route/Area	Conditions
---------	------------	------------

Secretary,
... Transport Authority,
...
(Date)
Renewals
Renewed up to ... 19 , subject to ...
Secretary,
... Transport Authority,
...
(Date)
Countersignature
... Transport Authority, ...
P. Pr. C. (No.) ...
Countersigned for the Area of ... subject to the following variation or conditions ...
...
Secretary,
... Transport Authority,
...
Dated ... 19...

Renewal of countersignature
The above countersignature is hereby renewed up to the ... day of ... 19..., subject to the following conditions:
...
Secretary,
... Transport Authority,
...
Dated ... 19...

PART «B»
Summary to be exhibited on each vehicle
... Transport Authority, ...
Private carrier's permit P. Pr. C. (No.) ... (*)
1. Name of holder: ...
3. Area: —
...
4. Date of expiry: ... 19...
5. Nature of goods: —
...
...

6. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
Other conditions: —
...
...
...

Secretary,
... Transport Authority,
...
(Date)

Renewals
Renewed up to ... 19 , subject to
...
Also valid in ...
Secretary,
... Transport Authority,
...
(Date)

Countersignature
... Transport Authority
P. Pr. C. (No.) ...
Countersigned for the region of ... Subject to ...
Secretary,
... Transport Authority,
...
(Date)

Renewal of countersignature
Countersignature renewed up to ... 19 .
Secretary,
... Transport Authority,
...
(Date)

(1) Here enter Permit No. and serial numbers up to total. Add the letter «T» in the case of these copies referring to trailers.

FORM P. Pu. C.
[Rule 4.9 (1) (e)]
PART «A»
Public carrier's permit
... Transport Authority, ...
P. Pu. C. (No.) ...

1. Name of holder ...
2. Father's name ...
3. Address ...
4. Route/Area for which permit is valid ...
5. Type and capacity of vehicles, including trailers and the alternative trailers of articulated vehicles: —

Number of vehicles	Type	Load capacity [Kgs.]	Laden weight [Kgs.]	Registration marks
--------------------	------	----------------------	---------------------	--------------------

6. Date of expiry ... 19 .
7. Nature of goods to be carried ...
a) The records to be maintained and the dates on which returns are to be made to the Transport Authority:—
b) Arrangements stated in the application for housing maintenance and repair of the vehicles and for storage and safe custody of goods will be maintained ...
c) The Regional Transport Authority may, after giving notice of not less than one month.
i) vary the conditions of the permit,
ii) attach to the permit further conditions.
d) Any other conditions ...
8. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of section 59 of the Act ...

9. The vehicle (s) authorised by this permit may be used by the holder as a goods vehicle otherwise than for hire within the area of ... for the purpose of carrying the following goods ...

10. Under the provisions of rule ...* this permit is valid also in the regions and subject to the conditions set out below:—

Region	Route Area	Conditions

Secretary,
... Transport Authority,

Renewal

Renewed up to ... 19 , subject ...
Also valid in ...

Secretary,
... Transport Authority,

(Date)

Countersignature

... Transport Authority.

P. Pu. C. (No.) ...

Counter signed for the area of ... subject to ...

Secretary,
... Transport Authority,

(Date)

Renewal of countersignature

The above countersignature is hereby renewed up to the ... day of ... 19...

Subject to the following conditions: ...

...
...
...

Secretary,
... Transport Authority,

(Date)

PART «B»

Summary to be Exhibited on the vehicle

... Transport Authority ...

Public Carrier's permit P. Pu. C. (No.) ... (*)

1. Name and address of holder ...
2. Registration mark ...
3. Route/Area ...

...
...
...

4. Date of expiry ...

5. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.

6. Any other conditions ...

...
...

7. Also as a goods vehicle otherwise than for hire for ... in area of ...

Secretary,
... Transport Authority,

(Date)

Renewal

Renewed up to ... 19 , subject to ...

...
...

Also valid in ...

Secretary,
... Transport Authority,

(Date)

Countersignature

... Transport Authority ...

P. Pu. C. (No.) ...

Countersigned for the region of ... subject to ...

...
...

Secretary,
... Transport Authority,

(Date)

Renewal of countersignature

Countersignature renewed up to ... 19...

Secretary,
... Transport Authority,

Dated ... 19...

* Enter relevant rule here.

FORM P. Tem.

[Rule 4.9(1)(f)]

Temporary permit

... Transport Authority ...

P. tem. (No.) ...

1. Name of holder ...
2. Father's name ...
3. Address ...
4. Type of vehicle ...
5. (1) Registration mark
(2) Seating capacity
(3) Laden weight

Note—If (1) is filled in, (2) and (3) may be struck out. Otherwise (2) and (3) must be filled in (1).

6. Purpose of journey or journeys ...

7. Nature of goods to be carried ...

8. Date of expiry ... 19 .

9. Under the provisions of sub-section (4) of section 63 of the Act, and with the particular/general consent of the Transport Authority concerned this permit is valid also in the following regions:

- (1) ...
- (2) ...
- (3) ...
- (4) ...

Secretary,
... Transport Authority,

(Date)

Countersignature, if necessary

... Transport Authority, ...

P. Tem. (No.) ...

Countersigned for the region of ... subject to the following conditions ...

Secretary,
... Transport Authority,

(Date)

Not on Form P. Tem — A temporary permit can be carried on the vehicle in original. Entry No. 7 of Form P. Tem. A contemplates application for more than one vehicle e.g., four buses for a marriage party. A separate permit must be granted for each.

FORM P. Co. S.

[Rule 4.9(1)(g)]

Permit in respect of one or more casual contract carriages

PART «A»

... Transport Authority, ...

P. Co. S. (No.) ...

1. Name of holder ...
2. Father's name ...
3. Address: ...

4. Route/Area for which permit is valid ...
...
5. The type or types of vehicles to be used as casual contract carriages and the () seating capacity ...
... vehicles of ... seats ...
... vehicles of ... seats ...
... vehicles of ... seats ...
... vehicles of ... seats ...
6. Date of expiry ... 19 .
7. Whether taximeter is to be fitted and if so, the type:
...
8. This permit shall be subject to the conditions specified below in addition to the conditions laid down in sub-section (3) of section 59 of the Act: —
(a) The records to be maintained and the date on which returns are to be made to the Transport Authority: —
(b) The Regional Transport Authority after giving notice of not less than one month: —

(i) vary the conditions of the permit.
(ii) attach to the permit further conditions.
(c) Any other conditions:
...
...
...
9. This permit does not entitle the holder to use any vehicle as a stage carriage or as a goods vehicle for hire.

Secretary,
... Transport Authority,
Dated ... 19 .

Renewals.
Renewed up to ... 19 , subject to ...
...
Also valid in ...

Secretary,
... Transport Authority,
Dated ... 19 .

Countersignature.
... Transport Authority ...
P. Co. S. (No.)
Countersignature for the region of ...
Subject to: ...
...
Secretary,
... Transport Authority,
Dated ... 19 .

Renewal of countersignature.
The above countersignature is hereby renewed up to the ... day of ... 19 , subject to the following conditions: ...
...
Secretary,
... Transport Authority,
Dated ... 19 .
Summary to be exhibited on the vehicle
PART «B»
... Transport Authority ...
Contract carriage Service Permit P.
Co. S. (No.) ...
1. Name of holder ...
2. Type of vehicle ...

3. Seating capacity: Not less than ... seats and not more than ... seats.
4. Route/Areas ...
...
5. Date of expiry ... 19 .
6. This permit shall be subject to the conditions laid down in sub-section (3) of section 59 of the Act.
7. Any other conditions ...
...
...
8. Type of taximeter, if any ...
...

Secretary,
... Transport Authority,
Dated ... 19 .

Renewal
Renewed up to ... 19 .

Secretary,
... Transport Authority,
Dated ... 19 .

Countersignature
... Transport Authority ...
P. Co. S. (No.) ...
Countersigned for: ...
Subject to: ...
...
...

Secretary,
... Transport Authority,
Dated ... 19 .

Renewal of countersignature
Countersignature renewed up to ... 19 .
Secretary,
... Transport Authority,
Dated ... 19 .
...

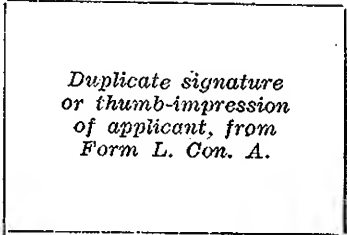
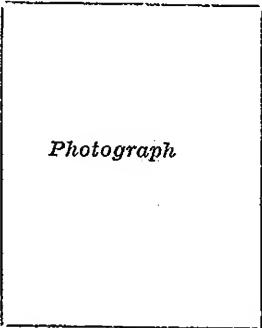
* Here enter the number of the permit and in brackets the serial number up to the total number of vehicles.

FORM L. Con.
[Rule 4.47(1)]

Government of Goa, Daman and Diu
Serial No. ...

Per. No. ...
Date ...

Conductor's licence
(Name) ..., son of ... of (present address) ... (permanent address) ...



Is licensed as a conductor and has been issued conductor's badge No. ...

(Date) Licensing Authority,
...

FORM L. CON. A

[Rule 4.47(4)]

Form of Application for a Conductor's Licence

1. Name ...
2. Name of Father ...
3. Present Address ...
4. Permanent Address ...
5. I have Not previously held a conductor's licence
previously held a conductor's licence issued by
6. I am not disqualified for holding a conductor's licence
7. I hereby declare that I am not less than eighteen years of age and that the above statements are true. I attach two copies of a recent photographs of myself.

(Date)

(Signature or thumb-impression of applicant)

Duplicate signature of thumb-impression of applicant

Licence No. ... (expiring on the ...) and Badge No. ... issued.

Licensing Authority

FORM M. C. Con.

[Rule 4.47(5)]

Form of medical certificate for a conductor

(To be filled in by a registered medical practitioner)

1. Name of person examined ...
2. Father's name ...
3. Apparent age ...
4. Is the person examined, to the best of your judgement, fit physically and mentally to perform the duties of a conductor of a stage carriage?
5. Does he show any evidence of being addicted to the excessive use of alcohol or drugs?
6. Marks of identification

I certify that the person examined has affixed his signature or thumb-impression here to in my presence and that to the best of my knowledge and belief the above statements are true and that the attached photograph is a reasonably correct likeness of the person described.

Space for photograph

Signature or thumb-impression of person examined

Name ...

Signature ...

Designation ...

FORM S. P.

[Section 63(6) of M. V. A. 1939]

Special permit No.

(Issued under Section 63(6) of the Motor Vehicles Act, 1939)

Office of the State Regional Transport Authority

- (i) Engine No. ...
- (ii) Chassis No. ...
- (iii) Registration No. ... registered by the Registering Authority ... and owned by ... son of ... (Permanent address) ... covered by permit No. ... dated ... issued by the State/Regional Transport Authority ... has been engaged by the person/persons, whose particulars are given below:—

Full name and name of father or husband Age Place of residence

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Full name and name of father or husband Age Place of residence

- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.

The above person/persons will be visiting following places:—

...

...

...

This permit is valid up to ...

Certified that in respect of the vehicle mentioned above, all taxes and fees payable in this State up to the date of expiry of this permit have been paid.

This permit is valid throughout India without countersignature by any other Regional/State Transport Authority. It shall be produced on demand by any police officer in uniform¹ [or any officer of the Excise and Taxation Department not below the rank of Taxations Sub-Inspector].

Signature of the issuing authority.

The validity of this permit is extended up to During this period the party may visit the following places also.

...

...

...

Signature of the Competent Authority.

Notes.—(1) The period of validity of the permit shall not exceed three months. Extensions may be granted for a maximum period of one month.

IMPORTANT

The issuing authority may please cross out all the blank columns not utilised.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. C. Sharma

Chief Secretary

Panjim, 16th March, 1965.

Notification

HD.25-1299/65

In exercise of the powers conferred under section 15 of the Goa, Daman and Diu Motor Vehicles Taxation Act, 1965, and all other powers enabling him in that behalf, the Administrator of Goa, Daman and Diu, hereby makes the following Rules, namely:

The Goa, Daman and Diu Motor Vehicles Taxation Rules, 1965

In exercise of the powers conferred by section 15 of the Goa, Daman and Diu Motor Vehicles Taxation Act 1965 the Lt. Governor of Goa, Daman and Diu hereby makes the following Rules:—

1. (a) These Rules may be called the Goa, Daman and Diu Motor Vehicles Taxation Rules, 1965.

(b) They shall come into force on the 22nd day of March, 1965.

2. In these Rules:

(a) «the Act» means the Goa, Daman and Diu Motor Vehicles Taxation Act 1965.

(b) «Form» means a Form appended to these Rules.

(c) «Government» means the Government of Goa, Daman and Diu.

(d) «Licencing Officer» means any person appointed as such by the Government.

(e) «Section» means a section of the Act; and

(f) «State» means the Union Territory of Goa, Daman and Diu.

3. (1) Under sub-section (i) of section 4 every person who keeps a motor vehicle for use shall fill up and sign a declaration in Form 1. The Form may be sent by registered post or may be presented in person or by an agent to the Licencing Officer.

(2) Any person, who having delivered a declaration, becomes liable to a further tax by reason of any change in the character of any motor vehicle, kept by him for use, shall fill up, sign and deliver an additional declaration under section 5 in Form I.

(3) The Licencing Officer, on receiving information that any person keeps a motor vehicle for use, may require him to sign, fill up and deliver the Form of declaration and may serve upon him a special notice in Form II. This notice may be sent to the person by post or may be served upon him in person, or, if service cannot be made upon him in person, upon any adult male member or a servant of his family. If the notice cannot be served in the manner aforesaid, it may be served by affixing it to some conspicuous part of his place of residence or business or in such a manner as the Licencing Officer may think fit.

(4) Forms of declaration can be obtained from the Licencing Officer.

4. (1) The following classes of persons or of vehicles are exempted from the liability to pay the whole or part of the tax under the Act, to the extent indicated against each —

(i) Motor vehicles owned and kept for use by departments of the Central or State Governments Whole.

Provided that this exemption shall not apply to motor vehicles belonging to the Central Government Railways operating for commercial purposes.

(ii) Motor Vehicles owned and kept for use by any local authorities situating within the State Whole.

(iii) Motor vehicles owned by the manager of a school and kept for the sole use of conveying pupils to and from the school Whole.

(iv) Motor vehicles classed as Ambulances owned by the authorities of hospitals and kept for the sole purpose of conveying patients to and from the hospital Whole.

(v) Motor vehicles temporarily brought into the State and kept for use therein for a period not exceeding thirty days Whole.

(vi) Motor vehicles in respect of which any reciprocal arrangement relating to taxation has been entered into between Government and any other State Government exemption in accordance with the terms and conditions of such reciprocal arrangement.

(vii) Motor vehicles imported under Triptyque or Carnet de Passage and temporarily brought into the State Total exemption for the first thirty days of their stay in the State.

(viii) Motor vehicles exempted under the Auxiliary Force Act, 1920 or any other law for the time being in force relating to the Armed Forces Whole.

(ix) Motor vehicles used on the authority of the trade certificate and for one of the purposes mentioned in the Rule 3.27 of the Goa, Daman and Diu Motor Vehicles Rules, 1965 Whole.

(x) Motor vehicles other than transport vehicles brought permanently in the State Total exemption for the quarter during which any such vehicle is so imported provided that it has been taxed for the same quarter in any other State in India.

(2) A person (other than a department of the Central or State Government) who is wholly exempt from liability to pay the tax under this Rule must nevertheless fill in and deliver the Form of Declaration and obtain a licence unless he is exempt under clause (v) of this Rule.

(3) No person shall be entitled to exemption under clause (v) unless he has paid tax to the Government of another State or Union Territory for the period for which exemption is claimed.

5. (1) In calculating the period during which, for the purpose of sub-section (2) of Section 13, the motor vehicle was not used, regard shall be had only to complete quarters during which it was not used and shorter periods shall be excluded.

(2) Where a newly registered vehicle is brought on the road during any part of a taxation quarter, the tax shall be charged for the whole of that quarter.

6. Any person making a claim to exemption under sub-section (2) of section 13 shall support his claim to exemption by such proof or in such manner as the Licencing Officer may in each case direct.

Provided that no person shall be entitled to exemption under sub-section (2) of section 13 unless such person deposits the registration certificate with the Licencing Officer and also sends an advance intimation to that officer of his intention not to use the vehicle in the quarter in respect of which exemption is claimed and giving the complete address where the vehicle will be garaged.

7. (1) A person who has paid a quarterly instalment of tax in respect of a motor vehicle, but afterwards proves to the satisfaction of the Licencing Officer, under section 13 that he is not liable to the payment of that instalment of tax or part thereof on account of any of the exemptions or deductions provided for it in the Act or rules, is entitled to claim refund of the tax already paid to the extent admissible under the Act or rules made thereunder.

(2) Where an exemption or deduction or refund is claimed by a licensee and his claim is admitted, the Licencing Officer shall make the necessary entry certifying the exemption or deduction or refund in the remarks column of the licence and shall issue a refund order in the Form RO.

8. When a person purchases or keeps for use a motor vehicle in respect of which a licence has already been issued, he shall produce the licence before the Licencing Officer. The Licencing Officer shall then cancel the licence and deliver to the applicant a fresh licence in his own name, in which were entered as paid on the former licence.

9. In the event of a licensee losing his licence, on an application being made to the Licencing Officer, a duplicate licence may be issued on the payment of a fee of one rupee.

10. The assessment of tax of motor vehicles shall be as described in the schedule. The assessee must state the horse power, unladen weight or the seating capacity, as the case may be, in the Declaration Form. The Licencing Officer may accept or may in his discretion demand proof, of the statements made in the Declaration Form. In the absence of any proof the Licencing Officer shall decide the horse power or the unladen weight or the registered laden weight or the seating capacity, as the case may be, and shall assess the tax accordingly.

11. For the purpose of assessment, the Licencing Officer may require an applicant for a licence to produce his vehicle before him for inspection.

12. As soon as an applicant for a licence has filled the declaration, the Licencing Officer shall inform him, by letter, of the assessment on his motor vehicle; and the applicant shall, as prescribed in the Act, pay the first quarterly instalment of tax. The Licencing Officer, if satisfied that the tax has been paid, shall deliver the licence, which shall be in Form III, to the applicant.

13. The tax may be paid by cash in the office of the Licencing Officer or by money order in the coupon of which shall be stated the vehicle number and the purpose of sending the money order or by a treasury chalan or by a crossed cheque on a Bank having a clearing account with the State Bank or India, at Panjim, Daman or Diu.

14. Any police officer on duty or any officer or Inspector or Assistant Inspector of the Motor vehicles Department may order a motor vehicle to stop and examine it to ascertain whether a licence thereof has been obtained. Should he discover that it has not been licenced, he shall take the registered number of the vehicle and the name of the owner, and report the same without delay to the Licencing Officer for such action as he considers necessary.

15. Before imposing a penalty under section 8 or 9, the Licencing Officer shall call upon the person concerned to show cause why the penalty should not be imposed. He shall record a brief memorandum of the facts of the case and the statement of the person concerned and a finding with a brief statement of his reasons for the finding.

16. The appeal under section 12 shall be made in writing to the officer to whom an appeal lies stating

the grounds on which the applicant disputes the order and enclosing a certified copy of the order appealed against. The Officer hearing the appeal may in his discretion:—

(a) dismiss the appeal summarily, or

(b) call on the Licencing Officer for a report, and after considering such report and such arguments as may be put forward on behalf of the appellant may confirm, modify or set aside the order.

17. When a person pays an instalment of tax or satisfies the Licencing Officer that he is entitled to exemption from payment of tax, the Licencing Officer shall issue a token in the Form IV to such person and shall enter in the token the amount paid or the words EXEMPT as the case may be.

18. (1) No person shall drive or cause to be driven any motor vehicle unless a valid token is displayed thereon in the manner hereinafter prescribed.

(2) In the case of a motor cycle not having more than two wheels (whether with or without a side car) the token shall be affixed to the plate bearing the front registration marks so as to face towards the left hand side of the motor cycle, and in the case of any other motor vehicle it shall be affixed to the bottom left hand corner of the windscreen facing forwards or if the vehicle is not fitted with windscreen then in some other conspicuous place on the left hand side of the vehicle.

(3) Nothing in the sub-rule (1) shall apply in the case of a vehicle owned or kept for use by any department of the Central Government other than a vehicle used in connection with the business of a Railway or which is for the time being exempt from liability to pay tax under the Act or these Rules or which has not been kept for use by the owner for more than thirty days.

19. (1) Any holder of a token which has been lost, destroyed, defaced or torn may apply to the Licencing Officer for the issue of a duplicate token, and the Licencing Officer shall, if he is satisfied after making enquiries that a duplicate may properly be issued, issue a duplicate token.

(2) A duplicate token shall be in the Form IV with the words «DUPLICATE» in bold red letters written or stamped across it.

(3) The fees for the issue of a duplicate token shall be one rupee.

20. Whoever contravenes the provisions of rule 18 shall be punishable with a fine which may extend to twenty rupees and in the event of any subsequent conviction for the same offence with a fine which may extend to one hundred rupees.

FORM I

[See Rule 3(1)]

Form of declaration

1. Name, father's name and full address ...
2. (a) Class of Vehicle ...
(b) Type of body* ...
(c) Engine number ...
(d) Chassis number ...
3. (a) Year of manufacture ...
(b) Make ...
(c) Horse-power and number of cylinders ...
(d) Model or series ...

4. Number and size of tyres on each axle (in the case of transport vehicles only) ...

5. (a) Weight unladen ...
(b) Registered seating capacity ...
(c) Registered laden weight (in the case of transport vehicles only) ...

6. Date of commencing to keep the motor vehicle for use ...

I hereby declare that the above particulars are true

(Date) (Signature)

Certified that the above particulars are correct.

(Date) (Signature of officer inspecting the vehicle)).

The vehicle has been assessed under Entry of the Tax Schedule at the rate of Rs. per annum.

(Date) Licensing Officer,
... District.

Note 1. — A separate declaration form must be completed for each vehicle.

Note 2. — The entry to be made against side-head 2 (b) in the declaration form should describe the type of body in one or other of the following categories. —

Two-seater open.

Two-seater closed.

Tourer.

Saloon (including various types of convertible bodies).

Van.

Bus type, with removable seats.

Bus type, with fixed seats.

Truck.

FORM II [See Rule 3(8)]

Notice

To ...

Address ...

Take notice that you are hereby required to fill up, sign and deliver to the undersigned the form of declaration enclosed in respect of every motor vehicle kept by you for use, and to pay the tax due on every such vehicle before the expiration of 14 days from the date of service of the notice.

Failure to deliver the declaration or to pay the tax involves a penalty under sections 8 and 9 of the Goa, Daman & Diu Motor Vehicles Taxation Act, 1965.

Signature of Licensing Officer

FORM III Rule 12

Union Territory of Goa, Daman & Diu

Licence for use of a Motor Vehicle

Vehicle No. ...

1 The Rate of Taxation
(1) Quarterly
(2) Yearly

Date: —

2 The Rate of Taxation
(1) Quarterly
(2) Yearly

Date: —

3 The Rate of Taxation
(1) Quarterly
(2) Yearly

Date: —

4 The Rate of Taxation
(1) Quarterly
(2) Yearly

Date: —

Serial no. ... Vehicle no. ...

Licence

Whereas
has paid the taxes entered on the reverse he is permitted to

keep for use motor vehicle no. ... within the limits of the Goa, Daman & Diu up to the ... 19 ...

(Date)

Licensing Officer,

... District.

Renewed for the year ending the ... 19 ...

19
19

Transfer of Records

The records pertaining to the vehicle have been transferred to the ... district.

... district.

... district.

Instalments of Tax

Year	Quarter	Amount of tax paid or in the case of an exemption the reason therefor	District in which payment made	Initials of Licensing Officer and remarks
19 ... 19 ...	1st			
	2nd			
	3rd			
19 ... 19 ...	4th			
	1st			
	2nd			
19 ... 19 ...	3rd			
	4th			

FORM IV

(see Rule 17)

FORM OF TOKEN COUNTERFOIL

Quarter ...

Token no. Book No.
Registration no. of vehicle ...
Name of owner ...
Class of vehicle for taxation purpose ...
Amount of tax paid ...
Date of payment ...
Remarks ...

(Signature of Issuing Officer).

Checked and entered in Taxation Register.

Licensing Officer.

FORM IV

(see Rule 17)

FORM OF TOKEN

Goa, Daman and Diu

TAX TOKEN

No. Book no.

Year ...

Name of owner

Registration no. ...

Amount paid ..

Issuing Officer

District

FORM «RO»

[See rule 7(2)]

(Payable within 15 days from the date of issue or any subsequent renewal)

To,

Treasury Officer,

I, Licensing Officer hereby certify that Shri + having paid on the amount of Rs. as tax on the motor vehicle bearing Registered number for is entitled to a refund of Rs. on account of reasons mentioned at item no. of the following items: —

- (1) That the tax license of his motor vehicle no. has been surrendered.
- (2) That he has been refused registration of his motor vehicle.
- (3) That his motor vehicle no. is liable to tax at a lower rate.
- (4) That he has paid more tax than is due from him.

A note of refund has been made on the original document.

Please pay to Shri
 Rupees /
 (in words) (in figures)
 on account of the refund.
 Date

Signature of the
 Licensing Officer

Note: Full particulars and permanent address of the person who has paid the tax should be entered. A brief description of the motor vehicle should be inserted, if it has not been registered.

TO BE FILLED UP BY THE TREASURY

No.

To,

The Licensing Officer,

A refund of Rs. In respect
 of Motor Vehicle no. was paid

on as per you Refund Order
 no. dated

Date:

Treasury Officer

By order and in the name of the Administrator
 of Goa, Daman and Diu.

M. C. Sharma
 Chief Secretary

Panjim, 16th March, 1965.

Erratum

HD.25-1299/65

In the Notices published in the Government Gazette dated the 20th January, 1965, Series I, No. II Supplement, in the two annexures (draft rules);

1. (i) In clause (a) of Rule I of the Goa, Daman and Diu Motor Vehicles Taxation Rules, 1965, the expression «Motor Vehicles Rules» shall be read as «Motor Vehicles Taxation Rules»;

(ii) The entire clause (b) of Rule 1 shall be omitted;

(iii) The letter «(a)» appearing in Rule 1 shall be omitted.

2. In the draft rules at page 9, in Rule 1.1 of the Goa, Daman and Diu Motor Vehicles Rules, 1965, number «(i)» shall be omitted, and the entire clause (ii) of the said Rule shall be omitted.

By order and in the name of the Administrator
 of Goa, Daman and Diu.

M. C. Sharma
 Chief Secretary.

Panjim, 16th March, 1965.